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ABSTRACT

The Cultural and Critical Studies Division section of the proceedings contains the following 11 papers: "'Grimm' News Indeed--'Madstones,' Clever Toads, and Killer Tarantulas: Fairy-Tale Briefs in Wild West Newspapers" (Paulette Kilmer); "The First Amendment and the Doctrine of Corporate Personhood: Collapsing the Press-Corporation Distinction" (David S. Allen); "This Mythical Place, 'El Pais de Las Mujeres': Representing Women in a Venezuelan Telenovela" (Carolina Acosta-Alzuru); "Politics, the Emergence of Entertainment Journalism, and the Battle for Headlines: President Clinton and the 1994-1995 Baseball Strike" (Robert Trumbour); "Polysemy, Resistance, and Hegemony: An Audience Research of a Korean Prime-Time Drama" (Oh-Hyeon Lee); "Cyberspace: The New Disney Universe" (Jeffrey Layne Blevins); "Examining the Problematic of 'Auteur' Theory: The Case of David E. Kelley and 'Picket Fences'" (Karen E. Kline); "The 'Forgotten' 1918 Influenza Epidemic and Press Portrayal of Public Anxiety" (Janice Hume); "Myth of the Southern Box Office: Lining Domestic Coffers with Global Prejudices" (Elaine Walls Reed); "Ideology and Race in California: The 'New York Times' Coverage of Proposition 187" (Christopher Williams); and "Capote's Legacy: The Challenge of Creativity and Credibility in Literary Journalism" (Mark H. Masse). (RS)

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Cultural
Critical

"Grimm" News Indeed--
"Madstones," Clever Toads, and Killer Tarantulas
(Fairy-Tale Briefs in Wild West Newspapers)

Wilhelm and Jakob Grimm's fairy tales invite the child in all of us to enter a timeless, intuitive world of magic, a place where virtue vanquishes evil, and everyone lives happily ever after. Bruno Bettelheim points out that folk narratives enable people to work through their subconscious layers of being via the imagination.¹ Moreover, through centuries of fine tuning and cultural adaptation, the direct and hidden meanings in fairy tales have evolved with humans as a mirror of their personality through which sophisticated adults as well as naive children can acknowledge their innermost feelings and, therein, grow emotionally.² While fairy tales and their folklore cousins sparkle in their truest form--the oral tradition, they also provide a moral backbone for many Twenty-First-Century electronic and print channels of storytelling.

Indeed, Indiana folklore expert Linda Degh, who emigrated from Budapest, Hungary, explains that folklore constantly evolves making use of the newest technology. For example, TV commercials repackage fairy tales and mail-order gurus promise to heal the broken who carefully follow the prescribed ritual of magic available only to those shoppers who believe.³ In this essay, I intend to apply Degh's insight to newspapers in the Far West in the Nineteenth Century. I will concentrate on articles that resemble fiction more than modern news because these items reveal the process of osmosis from the oral tradition into the print world.

Newspapers on the frontier in such bawdy spots as Nevada, Texas, Arizona, or California reported territorial political tussles, murders, and literary-society meetings or fire-department balls as well as optimistic projections of their town's glorious future.⁴ Yet, despite their immersion in dusty (sometimes bloody) reality, the editors sprinkled fanciful items among the sober news and editorials boosting the new El Dorados. Although

these narrative briefs served obvious functions of humor, of filling up space, and of subtly suggesting the superiority of life on the cutting edge of civilization over the silly decadent East, these condensed fairy tales also built solidarity within the community. In this essay, I'm going to analyze items reminiscent of fairy tales that appeared in "Wild" West newspapers. My goal is to uncover the usually hidden bond between past and present, fact and fiction, news and entertainment.

The briefs in the frontier newspapers conformed to anecdotal and humor writing standards of the times. While defining terms, I will offer examples to establish my premise and, then, consider why particular plots resonated with readers.

Fairy-Tale Briefs--News for the Heart

Studying fairy-tale form and function inevitably leads one to Vladimir Propp, who proposes that only one kind of folktale, the magic tale, exists. This all-encompassing story type developed its plot from thirty-one themes that featured some or all of six characters: villains, mediators, heroes, gift-givers, helpers, and objects of a quest.⁵ On the other hand, Stith Thompson, a famous folklorist, suggests dividing these indigenous narratives into four categories: (Marchen) fairy tales or "household tales," the novella (which closely resemble Marchen), the hero tale, and the sage (a catchall category including local legends, humor, anecdote, and explanatory tales).⁶

Of course, fables featuring animals who act like humans round out the fantasy roll call. Fables tend to be much shorter than fairy tales and to end with foolish characters reaping the despair they have sown. Abstract ideas of good and bad take concrete and memorable form. A single pivotal action teaches a lesson.⁷ Readers of fairy tales draw conclusions about the meaning of the story and enjoy the predictable happy endings.

Many scholars differentiate myths from fairy tales. Carl Jung, Joseph Campbell, and Alexander Eliot all conclude that a myth is a sacred story that

people believe so earnestly it actually shapes their lives and, therein, may change the world around them. "In myths and fairy tales, as in dreams, the psyche tells its own story, and the interplay of the archetypes is revealed in its natural setting as formation, transformation; the eternal Mind's recreation."¹ For Jung, myths crystallize around archetypes in the collective unconscious, that vast pool of symbols and repeated patterns shared by all humanity throughout time. Some assume that since archetypes are universal, change cannot occur. But, Jung points out that change is inevitable in the interpretation of what archetypes mean in a particular time and place as well as in which prototypes compel attention.'

Jung concludes that when people replaced myths with science as the source of explanation for natural phenomena and truth concerning material reality, literature became a channel for myths. The impersonal world of objective empiricism cannot fill the emotional need for access to the subconscious that storytelling provides by recasting the essence of ancient sacred plots into relevant slices of modern life. Twenty-First-Century fairy tales often are embedded in pop culture, including television and cinema. Like myths, these Marchen perpetuate belief systems and provide a stage for experimenting with the collision of traditional values with progress. Alexander Eliot, who has traveled all over the world to study mythology, concludes that genres of story making are related:"

Mystic visions and primal myths are only the beginning. Folktales, fairy tales (sic) and legends follow. As the sparkling diamonds, rubies, and emeralds delight the eyes, so this treasure house of stories contains the power to bemuse and excite one's own imagination.

Despite or perhaps because of our complex technological world where impersonal facts dominate our reality, contemporary fairy tales (in magazines, paperbacks, films, TV-game shows, etc.) give us a sanctuary for our innermost hopes and fears. A hundred years ago, newspapers as well as vaudeville,

magazines, magic-lantern shows, circuses and paperbacks helped fill people's psychological need for fantasy. The Marchen or fairy-tale plots emphasize action and a moral. Stock characters often embody recognized stereotypes and seldom have personal names. They live in unreal, unspecified magical worlds, undergo formidable challenges, and encounter truly marvelous things. Virtue triumphs over raw treachery.¹¹ The plot thickens according to certain laws:¹²

- 1) The story does not open or end abruptly with a sudden action.
- 2) Repetition gives the narrative its basic structure and helps people remember salient points.
- 3) The numbers three, four, or seven figure in many tales.
- 4) Most scenes feature two diametrically opposed characters.
- 5) Twins, biological or symbolic, often play vital roles and may embody good and evil.
- 6) In the course of the tale, the last become the first; the meek inherit the earth.

Let's consider some human-interest articles with Marchen traits from western newspapers. Of course, these stories must be much briefer than their fairy-tale kin. They will also differ structurally because the printed word appears in newspapers, a format that by 1880 featured many articles emphasizing timeliness and facts. The budding quest for objectivity in the late Nineteenth-Century resulted in hybrid briefs structured like news but infused with fairy-tale elements that spoke to the subconscious.¹³ For example, the following item in the *San Antonio Daily Express* on July 4, 1884 tells a news story that contains the six fairy-tale characteristics:¹⁴

Abnormal Humanity

A new phenomenon has lately appeared in Paris in the shape of a man with a head resembling that of a calf. The similarity is said to be wonderful. For his own sake, it is to be hoped that this eccentric looking person will prove as great a financial success as his three recent celebrated predecessors--the Man-frog, the man

with a goose's head, and the Man-dog, who have all retired into private life, having made a nice little fortune.

The Man-frog was first exhibited in 1866 at a French country fete. He had an ill-shapen body, covered with skin like a leather bottle, and a face exactly like a frog's, large eyes, enormous mouth, and the skin cold and clammy. He attracted a good deal of attention from the Academy of Medicine, and a delegate was deputed to make him the object of study. He went all over France, and at the end of a few years, retired to his native place, Puyre, in Gera.

The man with the goose's head was first shown at the Gingerbread Fair in 1873. He was 20 years of age, had round eyes, a long and flat nose the size and shape of a goose's bill, an immensely long neck, and was without hair on his head. He only wanted feathers to make him complete. The effect of his interminably long neck twisting about was extremely ludicrous, and was so much appreciated that his receipts were very large. He passed under his proper name, Jean Boudier, and is established at Dijon as a photographer. He is married, and thanks to enormously high collars and a wig, is now tolerably presentable.

The Man-dog came from Russia, and was for a long time exhibited in Paris. He is now settled at Peath, having established a bird-fancier's business there, which is decidedly flourishing.

The above item cheerfully turns the misfortune of deformity into a route to capitalistic success. Like many Marchen, the article alludes to humans taking animal form. Unlike a folktale, the narrator cannot restore these protagonists to normal physique and so, instead, gives them the pot of gold at the end of the rainbow--riches earned on the road. Three examples of trailblazers in converting misfortune to treasure follow the mention of the newest human oddity--the Calf-man. Thus, the numbers three and four shape the account. The weak prevail over the strong financially at least; the underdogs here do persevere and prosper probably more than those who laugh at them.

But in this example, the most compelling fairy-tale characteristic is

the clash of opposites, in this case, the contrast between those mentioned in the feature and the ordinary homo-sapien herd. In *Myths and Images of the Secret Self*, Leslie Fiedler points out no crane-, ostrich- or goose-necked individuals with bird beaks have ever existed. Yet, the possibility intrigued medieval and Renaissance illustrators so greatly that they filled in where nature failed to provide the example.¹⁵ Of course, in the San Antonio story, the "man with the goose head" is not literally half bird. The illusion is spoiled by a "want of feathers." In the end, the man conceals his long neck with a gigantic collar; his bald head with a wig, but his round eyes and nose that resembles a beak remain unchanged.

Fiedler documents cases of dog-faced boys but not frog-men whose heads would be between their shoulders. The human alligators had leathery skin but still a cranial region above the chest. These goose and frog images use the same descriptions invoked centuries earlier and reflect Jungian archetypes (repeated patterns) buried deep within our subconscious that we gain access to through dreams and our imagination via fairy tales.¹⁶ Fiedler notes that humans have always devised implausible, even impossible physical oddities to explore the difference between normal and abnormal. "What monsters men have needed to believe in, they have created for themselves in words and pictures when they could not discover them in nature."¹⁷

The Frog-man, Dog-man, and the Goose-man all followed Horatio Alger's advice and with a little pluck and luck, with help from allies in science as well as show business, and through diligence they rose to middle-class respectability. The author of dime novels for adolescent boys incorporated the Cinderella archetype of a worthy lad working hard to earn the attention of a kind benefactor who, then, helped him overcome astounding obstacles. In the 1880s, an era often equated with robber barons and yellow journalism, magazines ran many parables about how actual human beings ascended from rags to riches more dramatically than any heroes the pudgy author of dime novels might describe.¹⁸ The Goose-man and his fellow dauntless freaks--surmounted

barriers of fear and prejudice in their quest to live the American Dream.

A Fairy Tale In Reverse

Sometimes, frontier newspapers ran ironic articles that actually turned the traditional Marchen upside down. For example, in this humorous item borrowed from the *Dallas Times*, everyone else lives happily ever after once the town grouch dies:"

The Fate of a "Kicker"

There once was a printer who had got into the habit of growling with his lot in life, so that nothing seemed to please him. He was so melancholy that a ball table or a "scare" head would only raise a sickly smirk on his face, while his fellows who ran into such luck would snicker so audibly that their suspenders would fly off. He would kick at the editors if they reconstructed a "pick up." He would kick if he had a stickful for a "take," and he would kick if he had only a stick.

He would kick at sunshine, he would kick at showers, he would kick at heat, and..he...was such a crank on draughts that he used to have his clothes made without buttonholes so that the air could not reach him.

He would kick at the lunch...and drink vinegar to keep up the supply of sourness which used to ooze away from each of the 900,000,000 pores of his skin. His acquaintances used to say he would kick after he was dead.

Well, one day he fell into a trance, and his brother-in-law, thinking he was dead, boxed him in a neat but not gaudy coffin. There was only one mourner at the funeral, and that was his tailor, to whom he owed money.

As they rested the remains on the brink of the grave, a loud knocking was heard in the coffin. The grave diggers looked inquiringly at the brother-in-law, but he said: "Go ahead--don't mind--I suppose the old fellow is kicking at the style of his shroud. Let's go."

And that was the last of him.

Although this delightful parable contains some local phrases that are hard to understand, it still tells an engaging story. The moral, do not complain so often that no one pays attention when circumstances demand a protest, resembles the fable, "The Boy Who Cried Wolf." That lad's practical joke backfired when nobody responded to his shrieks for help when a wolf attacked. The Kicker, however, isn't a mischievous child. He's a grumpy old man sourpuss.

This vinegar-man brief contains fairy-tales elements. It begins and ends passively. Repetition of "kicker" in parallel sentences creates a rhythm. The Kicker embodies the reverse of every pleasing human attribute and pays the toll--literally inheriting the earth! All of those he slighted were liberated from his orneriness. His fate warns readers that cranks die alone.

Sometimes proverbs, another form of folklore, also humorously comment on human foibles. *The Arizonian* (Tucson) ran this one on October 20, 1859: "'I know every rock on this coast,' cried an Irish pilot. At that moment, the ship struck when he exclaimed, 'and that's one of them.'"²⁰ This funny little filler reflects the prejudice against the Irish that was rampant in the United States during the Nineteenth Century. Often, the Irish were depicted as drunken braggarts. In fact, when the Rev. E.P. Roe chronicled the Chicago Fire in *Barriers Burned Away* (1872), he repeatedly depicted intoxicated Irish who rather than flee the flames, laid down in the gutters cradling their bottles of hooch. He declared that cremation the rightful end of these worthless boozers.²¹

On the same page, the *Arizonian* ran a dialogue between "A Man Without Money" and a gentleman. The pauper asked for a dime to cross the river. The wealthy gent "coolly" replied, "Well, if you haven't a cent, it'll make d---d little difference which side of the river you are on."²² This short item indicates that to be respected socially, one must earn money. Moreover, cash, not location, makes the difference in who succeeds. Like fairy tales, this incident transpires between unnamed characters who represent typical rather

than specific persons. The time and place are left open-ended. The two chaps are total opposites. The story differs from fairy tales in that it starts and closes with action.

The stranger accosts the gentleman. The man with a fat wallet--not the panhandler--is the protagonist, the one we should esteem. Both are strangers, but in the narrative that role of outsider is reserved for the one with empty pockets. The anecdote ends when the gent walks away "[leaving] the stranger to his own reflections." Most significantly, the meek do not inherit the earth here and, indeed, do not deserve any magical intervention. The weak prevail in fairy tales, and the strong lose their power to a worthy opponent. This little slice of folklore reflects the mid-Nineteenth Century context of *The Arizonian* where survival in the West demanded hard work and thrift. The narrator says the incident happened sixty miles below New Orleans. Once again, the rugged frontier is more wholesome than the civilized East (or South) where indolence turns people into leeches.

Horsing Around?

In some animal briefs, horses not only recognize human weaknesses but take appropriate action. For example, a front-page story in the Independence Day issue of the *San Antonio Express* recounted one wise steed's adventures. When three drunken men got into a buggy, the smart horse stopped in front of the Third Precinct Police Station, stuck its toes, refusing to budge until the trio had been put in a cell. Bystanders praised the horse's wise assessment of character. Once the rum pots were incarcerated, the steed obeyed the driver's order to giddy up. This clever horse lived in Albany, New York.²³

Although the numerous saloons in the West suggest that drinking was popular on both coasts, still items like this one reinforce the stereotype of the East being urban, depraved, and sinful. Lewis Atherton demonstrates how *Main Street on the Middle Border* seemed simpler, purer than the bustle of the city.²⁴ This same duality applies to views of the East as crowded, corrupt and

limiting but the West, on the other hand, as a place for renewal of the spirit, restoration of health, and opportunity to advance economically.

Of course, in this land of opportunity and open spaces, horses did more than provide transportation. A horse often had a mind of its own and in anecdotes, took on human-personality traits. The *Reese River Reveille* in Austin, Nevada, told the sad fate of "Wilkes Booth's Horse." That's John Wilkes Booth--infamous assassin of President Abraham Lincoln. Now, this horse's stamina, beauty, and gentle disposition won it friends after that tragic night when Booth died in the fiery barn.

After the murder, the New York Express Company bought Booth's horse at an auction. The company soon went out of business--possibly due to mismanagement. John Grant of Brooklyn purchased the steed next and rode him to deliver packages. One Colonel John A. Peal took pity on the skinny bay with the patchy coat and offered Grant \$100. Grant first turned him down but later relented and shipped the animal to Peal in Abington, Connecticut.

The kindness of the Peal family soon restored the horse to his former glory:"

He soon recovered some of his former qualities of sleekness, fleetness, strength, and endurance. The horse was a large and powerful animal, with long, heavy mane and tail, bright, intelligent eyes of a dark bay color, a white star in the forehead, and one white hind foot and ankle.

This remarkable beast became the "darling" of the family and, therein, during his dotage was "allowed to have pretty much his own way." Indeed, for three years, this great pal of a bay roamed the dooryard and roadside near the farm "at his leisure and pleasure." But, not even a magnificent critter, a prince among horses could escape destiny:"

In one of these ramblings, the poor animal fell into a ditch and was killed. Thus, it would seem all, even to the dumb beasts, having a part in this terrible tragedy, met with a violent death.

Like a fairy-tale hero, the principle character, the horse goes unnamed. This brief resembles a news story because the people and places are identified. The horse contrasts sharply with the character of the killer, John Wilkes Booth. In Cinderella fashion, the true-hearted protagonist undergoes trials (working hard by a cruel owner), is rescued by a benefactor-- the Colonel, proves his worthiness, and is rewarded with the horse's equivalent to middle-class retirement in his old age: freedom to roam. But, in Shakespearean mode, the noble horse must die horribly because he was unwittingly part of a tragedy that changed history. In the bard's plays, the innocent perish along side the guilty in a cycle of events that may take years to transpire. The newspaper editor concludes the same is sometimes true in real life.

However, some horse tales carried less grim messages than the obituary for the fallen steed. On August 14, 1884, *The San Antonio Daily Express* reprinted a story from the *Albany Journal* about a horse that, just like in fairy tales, tricked everybody three times before being discovered. The players go unnamed, but the location is pinned down: west on the central track. The iron horse moves 500 yards when a tug of the bell-chord brings it to a squealing halt again, again, and again. The fourth time, the searchers check the baggage and stock cars. The the conductor and engineer discover a horse jerking the bell-chord "to amuse himself."²⁷

This short article seems more like a strange anecdote than a fairy tale. The horse outwitting the machine might appeal to cowboys and other citizens of the plains who depended on horses for transportation and felt great affection for them. By 1884, railroads had snaked across the continent bringing a mix of good and bad tidings. The connection with the East gave towns access to wares manufactured there and opened new markets for cattle, ore, and crops. However, cinders from the trains started prairie fires. Locomotives thundered across the land belching dirty clouds of smoke and ashes. Moreover, the iron

horse signaled the end of the open range as well as, ultimately, the closing of the frontier.

Trickster Toads and Clever Oxen

Well, in Native American lore, the trickster coyote plays all sorts of pranks on humans and other creatures.²⁸ The trickster generally is amoral and loves to befuddle the gullible. The trickster makes people laugh. Sometimes, he performs some essential task for humans but not often. He acts from unconscious motivations. Of course, the pure trickster thrives in the oral tradition and inspires some animal stories in newspapers that only broadly resemble the original. In fact, one of four types of Anglo-American folktales features animals that act like human beings.²⁹

The toad in the following account is not coyote. The amphibian's trick rewards it with dinner but, just like some trickster-tricked tales where the jest backfires and, ironically, makes the joker the dupe, the toad's ingenuity could result in it, too, becoming a link in the food chain:³⁰

A toad was seen to enter the chicken yard of Andrew White of New Castle, N. H., climb into the feeding saucer of some young chickens, and himself over and over in the meal. He had noticed that the flies swarmed about the meal dish, and they soon began to do so about him. Whenever a fly passed within two inches of his nose, his tongue darted out, and the fly disappeared.

The newspaper item doesn't take the fable of the wily toad to its possible nightmare conclusion in a survival-of-the-fittest world. However, Gay Tippleton of Liverpool, England, did get caught in his own trap. That practical joker warned Ewart not to return the following evening to the smoking room, where gentlemen living in the boarding house socialized, wearing his dress coat.

"If you do it again, I certainly shall have those claw-hammer tails cut off," Tippleton told Ewart.

The very next evening, Ewart strolled in to the smoking room. Tippleton

and "a few congenial spirits" pushed him on to the couch and snipped off the offending coat tails!"¹¹

"You take it very philosophically," said one of Gay Tippleton's friends.

"Oh," replied Ewart, it doesn't matter to me. It's not my coat; It's Tippleton's garment. I knew he'd keep his word, so I just dropped into his room in passing and put his coat on."

There was a roar of laughter, and, to do Gay Tippleton justice, no one joined in it more heartily than he.

Sometimes, newspapers ran tall tales that invited laughter but were just slightly plausible. These windies, as Americans call liar's tales, rely on exaggeration for humorous impact. Liars tales have flourished worldwide for centuries. Mody Boatright suggests that in the Far West, these whoppers "represent a sort of reverse bragging about the hardships of settling the continent and an exaggeration of natural features of the frontier."¹²

For instance, Commissioner James Wistar of Pasadena, California, recalled making a fortune hunting geese with the assistance of "Old Brindle," his trusty ox. "Stalking geese with oxen may sound a little queer, but that's how we used to hunt them in the early days."¹³ In fact, thousands of geese cropped the grass so closely that the cattle were starving. This crisis prompted enterprising men to abandon gold mining for goose hunting.

At first, the geese weren't afraid, and killing them for market was easy. But, soon, the observant waterfowl understood the sportsmen's intentions and stayed a half mile away. For a little while, blinds fooled the birds; however, they soon equated these hiding spots with death and fled. The geese ignored cattle in the pasture, and so a crafty hunter decided to train his docile, cooperative ox to serve as an animate blind. The animal took an immediate liking to the venture and perfected his role in the operation. Finally, the hunting trips ceased to be wild-goose chases!"¹⁴

The oxen soon fell into the full spirit of the hunting. Some were better than others. An oxen that understood his business would feed along toward a flock of geese or pretend to be feeding, not directly toward them, but carelessly and by many turnings, because he had discovered that the goose had grown suspicious even of cattle, and would inevitably rise before an ox that wasn't cute enough to dissemble in the course of his feeding.

Another thing we soon discovered that spoke volumes for the astuteness of the California wild goose. I made this discovery myself. I had been shooting for a week over a big brindle ox that had developed special aptitude for the work and enjoyed it hugely.

My success had been great, when one day, I was astonished to see a big flock of geese that my ox and I were stalking get up and fly away long before we had got within any kind of gunshot.

The ox was just as much surprised as I was and gazed after the departing flock for a moment and then turned and looked at me as if demanding some explanation of that flock's singular conduct. It seemed to me as if he suspected me of having been indiscrete in some way and spoiling the hunt. Old Brindle went back home showing his disappointment plainly and brooding over it all the rest of the day.

This remarkable Old Brindle allows his master to whitewash him the next morning to deceive the geese. Then, to outwit the birdbrains that had short memories, the hunter painted his co-conspirator ox a different color everyday. The ruse worked so well that "of course, changing the color of goose stalking oxen became universal law on the plains." The story ends on a supply-and-demand note, waving the rags-to-riches banner:¹⁵

For two or three years, every one (sic) who followed wild goose hunting in this way made lots of money. Then, busted miners and even broken down sports took it up, until there were almost as many hunters as geese and the markets were kept over-stocked. There was no more money in it, and I quit. But I took with me \$40,000 clean money that I had made in the wild goose market. I know that at least six of the big Pacific coast fortunes of today had their foundation in the capital their possessors got from killing wild geese 40 or 45 years ago.

This tall tale blended elements of the environment with traditional fairy-tale conventions to generate a memorable, funny narrative. The story may start out sounding plausible, but soon outrageous things happen, like animals behaving magically--Old Brindle pouts and conspires with his master to bag the geese. In the West, by passing on these droll windies, individuals rejected the tourist and easterner's view of their experiences while simultaneously seizing control--at least in conversation--over indomitable natural forces.¹⁶

Indeed, on January 25, 1885, the *San Antonio Daily Express* wrote about "the frozen-weather fiend" who after thawing out his shins in the bat cave [a saloon?] declared the winter was as bad as in 18--[year left unspecified.]¹⁷

"Shoot him," said the clerk.

"Fire him out," said another.

"Brain the idiot," suggested a third.

"Put him in the bat cave," yelled a snoozer who had monopolized the best corner.

The crowd finally held a kangaroo court martial, and resolved to let the weather fiend off without bodily punishment provided he would "set 'em up," which he did, but had to "stand off" the barrel house until pay day.

He finally cornered a crazy Mexican who could not speak a word of English up against the city wood pile, and permanently paralyzed him with the statement that in 1883 the river and all the wells in the city were frozen so hard that the inhabitants had to blast out their drinking water with dynamite. The Mexican can not possibly recover.¹⁸

This stretcher incorporates some local slang that makes it difficult to understand in places. It also reflects prejudices against Latino-Americans. The joke about dynamiting the well is supposed to be hilarious if told to a Mexican who can't speak English but, nevertheless, suffers a fatal case of paralysis on hearing about the winter of 1883. The designation "crazy" also reminds us that racism was alive in San Antonio as well as in the rest of the

United States in the late Nineteenth Century.

Of course, the weather always inspires storytellers. In the West, winter complicated survival in the wilderness and, therein, generated some fantastic tales. In *Wondrous Times on the Frontier*, Dee Brown repeats an amazing incident: Two cowboys shouted to each other when a blizzard struck without warning. Their words froze. That spring, during the thaw, travelers were terrified by the loud outbursts of swearing that erupted from thin air."

A liar's tale tries to top similar whoppers that make outlandish events sound likely. Consider the *San Antonio Daily Express'* "Canned Fish Story" of April 24, 1885. John Rodriguez recalled watching small boys fish in the ditch easily catching their prey that were stranded in shallow pools. They picked up a five-gallon can and, looking startled, dropped it. John could hear splashing inside the container. He turned the can upside down to drain it through a small hole on the top. Suddenly, part of a fish's tail popped out! He cut the top off the can:"

We found inside of the can four catfish about ten inches long and each weighing over a pound.

We were very much surprised to find them in there and at a loss to tell how they got in the can. They must have gone in when they were very small and remained in there until they had grown so large that they could not get out. There was nothing in the can but the fish and water.

This appears to be the first instance on record where live fish have been successfully canned and preserved.

Madstones and Killer Tarantulas

If naturally canned fish are amazing, just imagine owning a stone that can cure scorpion bites! I think the long account of the "wonderful life giving stones in Virginia" most closely resembles a local legend. Brunvand explains that although legends illuminate events in a specific place and frequently are set in an historic context, variants of the same story appear

in many different locales.⁴¹ In the Virginia legend, the stones do have magical properties, and fairy tales ("Stone Soup," etc.) occasionally feature this motif. However, the story includes names and places. Moreover, the chronological plot emphasizes the history of the miraculous rocks. The story begins in folktale fashion slowly by admitting that so few mad stones exist most people think them a hoax. Remarkably, in Essex and Loudon counties in Virginia, documented instances of folks being cured of bites from rabid dogs or deadly snakes abound. One owner of a potent madstone, Edward Tyler, ran a sawmill in the Bull Run Mountains in Aldie.

Tyler's madstone came to Virginia in 1804 from a small island in the East Indies with his maternal grandfather, Captain James Smith. The Scotsman by birth had emigrated to the United States in 1785. At the age of 20, Smith had settled in Richmond and sailed to distant ports, like Australia, for the government. Friendly natives sold him bluish stones that he witnessed cure a scorpion bite. The stone stuck to the man's forearm like plaster for a few minutes and then fell away. The victim was entirely healed. Captain Smith bought eighteen or twenty of the pebbles. He gave rocks to several friends, who were members of the legislature in Virginia, telling them the unusual property of the flint. The stones were about an inch and a half long, a half to three-quarters of an inch thick, irregularly shaped, dark green or blue, and totally insignificant looking.

When Jerry Jackson, a Negro, was bitten by a copperhead snake, his arm swelled up until Tyler applied the stone. When it fell off, Tyler placed the pebble in a saucer of warm milk and water. Green bubbles of poison rose the the surface and burnt up. Eight hours later, Tyler put the magic rock on Jackson's puffy hand for the last time. The stone stuck to it until all the swelling was gone! Jackson fully recovered, never felt any discomfort, and gladly testified about his experiences to all who inquired. This miraculous healing by venom-absorbing stones probably is an example of transfer. In folk medicine, ridding the body of painful or lethal substances by transference

reflects "...the principle that something may be invisibly removed from the infected area and magically disposed of elsewhere."⁴²

A mad dog bit two people, a black woman and a merchant. The merchant asked Tyler for help and, thus, took the madstone cure, and was restored to his former self. The woman did not use the pebble and died nine days later from hydrophobia. A black boy was nailed by a rattlesnake. Tyler applied the madstone, and the boy recuperated entirely. "There are many other well authenticated cases which I could cite," Tyler said.⁴³

The last legend I wish to present resembles urban legends more than historical legends or fairy tales. Jan Harold Brunvand has spent his life studying urban legends.⁴⁴ He defines them as a short narratives told by a friend of a friend that remind us of what a scary world we inhabit. A subset of these brief narratives focuses on spider infestation of rugs, cactus, and other commercial goods shipped from foreign countries. The news account from the 1875 Nevada paper contains specific names and a precise location; nevertheless, in tone and substance it more closely resembles an urban legend than an objective news report.

This front-page news story presents totally credible details until the end when fear--not scientific knowledge or objective newspaper writing--seems to motivate the author, M. F. Pond. The Austin, Nevada, Reese River Reveille ran Pond's account:⁴⁵

A Horrible Fate

Mrs. Jervis, wife of a farmer living near Sacramento, died a few days ago in this city from the bite of a tarantula. The case is singular, and is another instance of the deadly attributes of this insect not uncommon in many portions of California.

Some six months ago, Mrs. Jervis, then living on her husband's farm, had occasion to strike a light, and going to a closet, felt around for a match. While doing so, she found something in a piece of working paper, which she thought might be a book of matches, and took hold of it.

As she did so, she felt a sharp pain like the prick of a needle or pin, and found something attached to her forefinger. She screamed with terror.

Her husband rose, lit a candle, and to his horror discovered that she had been bitten by a tarantula--whose poison is deadly unless immediately cauterized. He told his wife that she had only one chance of her life, to have the injured part cut out. She consented, and getting his razor, he cut a piece one-inch square out of her finger.

The unfortunate woman stood the operation heroically, but its effects were not such as were desired. She lingered for six months in continual agony, her blood literally drying up, till she was reduced to an absolute skeleton.

Three months before her death, her entire right side became paralyzed; yet, strange to say, the hand had a tendency to crawl, and the fingers incessantly moved like the legs of a spider. This feeling she said she could not control, and it presents one of the strangest phases of this disease, though a normal accompaniment, so averred, of poisoning by insects of the spider kind.

This frightening account contains inaccurate information. Tarantula bites aren't fatal. "The venom of most tarantulas seems to have little harmful effect on man, but ...the large species are capable of producing painful wounds." These sluggish, laid-back hairy giants "only attack when goaded to an extreme."⁶⁶ In the news scoop, the venom paralyzes the victim's right side except for her hand, which wiggles with a will of its own--like spider legs! Her ailment resembles sympathetic magic because on a logical level we know that spider bites do not compel humans to simulate the behavior of their arachnid assailants. This bizarre account vents apprehensions that pioneers must have felt when confronted with the wilderness.

Descendants of the same tarantulas that terrified early California residents in 1988 made headlines once again. This time, they got their picture in *People* magazine as cuddly pets in hot demand on Mickey Jacobson's

Arachnid Ranch near Tucson. The big, fuzzy galoots vied to displace dogs as man's best friend. "We have had customers make little leashes and collars," he [Jacobson] reports. "So they can take them out for walks."⁴⁷

What a difference a century makes! People living in California and Nevada in 1875 suspected that tarantulas not only could kill them but might curse them with a slow, agonizing death that over months literally dried up their blood and caused their hand to creep about uncontrollably as if possessed by a spider. The information in the news item about the fatal bite, like most urban legends, is useless. If the woman got sick, she probably contracted blood poisoning or an infection from the brutal cure her husband attempted. Urban legends work in the subconscious as well as conscious mind. These anecdotes verbalize the unformed terrors lurking in our hearts that seek expression in a safe format, like a fairy tale or an urban legend.

Although most of us no longer believe tarantula bites will kill us, we may pass on urban legends about spiders from Mexico or Asia concealed in imported rugs, coats, sweaters, or cacti. The victim makes the deadly mistake of preferring foreign goods. Sometimes, the woman feels a sharp prick, like a pin, and collapses. The paramedics discover the assassin tucked in the threads of the garment, waiting to strike again at anyone who hasn't learned the primary lesson of the shopping mall: Buy American or die! In the most dramatic version of this urban legend, a cactus--placed in the center of the kitchen table--begins to tremble. When the woman calls the store, the clerk tells her to run out of the house and lock the door. Just as she steps outside, the cactus explodes, and an army of hungry newborn tarantulas fan out across the room seeking sustenance!"

Folklore scholar Gary Alan Fine suggests that often this story of the spider-infested yucca or cacti doesn't specify the plant's geographic origin. Instead of emphasizing the prime directive to buy American, Fine concludes that these plots unmask the perils of exotic, wild places and the relative safety of the civilized city. "The interstices of nature and culture are a

critical node for danger."⁴⁹

Repeated incidents in urban legends reflect contemporary worries about the separation of humans from nature and the subsequent replacement of grass with cement, of spiritual comforts with material luxuries. As people juggle their feelings about the meaning of life and struggle to cope with their anxieties, they find fleeting emotional sanctuary in these frequently humorous, fun to recite, short revelations of our scary world in which spiders as big as a man's fist hitch a ride to the local Kroger's in a bunch of bananas and as tiny as a pinpoint nestle in the sleeves of cheap sweaters knitted in overseas' sweatshops.

Perhaps, just as fairy tales percolate in the subconscious waiting for someone to dream them into relevance, urban legends also evolve with society and reflect our deepest worries. We select plots that satisfy us emotionally. Folklorist Jack Zipes notes "...as the institution of the fairy tale changes, we must become even more aware of those scripts that tame us and prescribe our desires, for they can only become our tales if we review and rewrite them with a strong sense of our own creative powers of transformation."⁵⁰

Conclusion: How Stories Connect East and West

Urban legends thrive to this day because no matter how much we know intellectually, we still must vent our concerns about our dangerous, machine-obsessed world. Moreover, nature constantly reminds us that however great our powers to engineer the landscape might seem, ultimately, we are at the mercy of natural forces beyond our control. Folklore briefs in Wild West newspapers grounded readers in traditional values and fulfilled affective needs as well as gave them topics for conversation and laughter. Fiedler points out that the attempts to separate human experience from spiritual realities--the psychological bedrock of meaning--have resulted in the rational control of matter. "But we continue to ask: what have all our other cultural achievements lead to? The fearful answer is there before our eyes: man has

been delivered from no fear, a hideous nightmare lies upon the world."⁵¹

Perhaps, Fiedler's "hideous nightmare" has always lain upon the earth making laughter as essential to existence as food and water. Yet, not all the briefs in the western newspapers were funny. Some taught lessons about social behavior and the rewards of hard work. Others, like the madstones legend, reinforced cardinal American values: optimism and faith. Only those who believed in the power of the rock were cured. The price of skepticism was death. Ironically, while as a whole fillers proclaimed principles crucial to democracy, too frequently, their banter encouraged prejudices.

Unfortunately, sometimes the plot choices promoted unjust treatment of others. For example, the tall tale about the weather fiend disparaged Mexican-Americans because the individual who wrote the item chose words to label a neighbor crazy and to deny that individual membership in the common human herd. Other the fairy-tale articles repeated stereotypes of drunken Irish men or lazy Blacks that denigrated these groups. Such choices in detail do not strengthen the narrative, but they do reflect an ugly social pecking order that persisted in our country well into the Twentieth Century.

Reading late-Nineteenth-Century newspapers reveals that story formats rely upon human beings for meaning. The stranger is a hobo, not a bank officer. Horses can outwit their mechanical usurpers but not tragic destiny. Live canned fish and meal-covered toads beat the odds--but even they must succumb to the relentless law of survival of the fittest. All of these narratives could have emphasized other themes.

Regardless of when we live, the so-called throw-away fillers pose a wealth of questions about who we are and what we want our lives to mean. Brunvand concludes that storytelling has served a vital function and has won orators respect: "The typical hero of genuine oral tradition in the United States is not the brawling frontier trailblazer or the giant mythical laborer, but rather the local tall-tale specialist who has gathered a repertoire of traditional exaggerations and attached them to his career."⁵²

In the Far West a century ago, newspaper editors ran truncated Marchen (fairy tales), anecdotes, proverbs, historical legends, liar's tall-tales, and urban legends. They retold universal plots to adapt traditional conventions to local circumstances. They clipped many of these briefs from East Coast papers. Thus, through this exchange, the nation shared outrageous and wondrous narratives that spoke more to the heart than to the mind and broke a gloomy day with a smile, reassuring readers that no matter where they lived, at least, sometimes, folks did live happily ever after. Occasionally, the weak outwitted the strong. And the sun shone favorably upon those who worked hard. Fairy-tale briefs provided a respite from the harsh reality reported graphically in the news columns and too often experienced personally by readers in the Wild West.

¹ Bruno Bettelheim, *The Uses of Enchantment: The Meaning and Importance of Fairy Tales* (New York: Knopf, 1976) 7. Bettelheim wrote this book after decades of listening to children describe their dreams in therapy. The psychoanalysis revealed themes recurrent in both fairy tales and dreams; therein, convincing him that simple justice, magic, and archetypes in fairy tales provide children with vital reassurance in an often ugly, irrational world.

² Ibid., 5-6.

³ Linda Degh, *American Folklore and the Mass Media* (Bloomington: Indiana University Press, 1994). See "Magic for Sale: Marchen and Legend in TV Advertising," pages 34-53 and "Magic as a Mail Order Commodity," 54-79. In *Media Sense: The Folklore-Popular Culture Continuum*, Peter Narvaez and Martin Laba, editors, point out that folklore events transpire in small-group, live encounters while popular culture refers to performance contexts that reach multitudes impersonally. As the title suggests, pop culture and folklore blend sometimes.

⁴ Daniel J. Boorstin, "Booming the Real Estate Frontier," *The Americans: The Democratic Experience* (New York: Vintage, 1974) 273-280.

⁵ Isidor Levin, "Vladimir Propp: An Evaluation on His Seventieth Birthday," in *Theories of Myth: From Ancient Israel and Greece to Freud, Jung, Campbell, and Levi-Strauss*, ed. Robert A. Segal (New York: Garland, 1996) 100-117.

⁶ Stith Thompson, *The Folktale* (Berkeley: University of California Press, 1977) 8-9. He explains that the German word "Marchen" does not translate readily into English. To most people, Marchen means fairy tale. Since not all fairy tales involve fairies, Marchen sometimes is defined as a "household tale," but that designation is so broad it could describe any narrative.

⁷ "Chapter 7: "Fables, Myths, Epics," May Hill Arbuthnot and Zona Sutherland, *Children and Books*, fourth edition (Glenview, Illinois: Scott, Foresman, 1972) 184-209.

⁸ C. G. Jung, "The Phenomenology of the Spirit in Fairytales (sic)," *Four Archetypes: Mother/Rebirth/Spirit/Trickster*, trans. R.F.C. Hull (Princeton, New Jersey: Princeton University Press, 1992) 95.

⁹ Robert A. Segal, "Myths and Moderns," *Jung: Encountering Jung on Mythology* (Princeton, New Jersey: Princeton University Press, 1998) 191. Commenting on the revival of traditional myths, Jung explains on page 191: "Archetypes are like river beds which dry up when the water deserts them, but which it can find again at any time. An archetype is like an old water-course along which the water of life has flowed for centuries, digging a deep channel for itself. The longer it has flowed in this channel the more likely it is that sooner or later the water will return to its old bed."

¹⁰ Alexander Eliot, *The Timeless Myths: How Ancient Legends Influence the Modern World* (New York: Truman Talley/Meridian, 1997) 69. He rejects Jung's collective unconscious, saying that archepassions, like anger and love, drive mythology. He coins the term "mythosphere" to replace the collective unconscious declaring that changeless archetypes do not exist. He does not follow the path of Joseph Campbell and others who see interpretation and evolution of archetypes being shaped by the ways specific cultures attach meaning to them. Instead, he suggests on page 71 that myths literally wash over us in an affective ocean so vast nobody can map it. We gain absolute intellectual freedom. "As humanity continues on its own creation so the mythosphere evolves; changing, adding, enriching all the time. It might be likened to an ocean-size bubble wherein our thoughts play about like golden carp in green waters." This idea of an all-encompassing bubble reminds me of Richard Adams' poetic unbroken web: "I have a vision of the world as the astronauts saw it--a shining globe, poised in space and rotating on its polar axis. Round it, enveloping it entirely, as one Chinese carved ivory ball encloses another within it, is a second, incorporeal, gossamer-like sphere--the unbroken web--rotating freely and independently of the rotation of the earth. It is something like a soap bubble, for although it is in rotation, real things are reflected on its surface which, imparts to them glowing, lambent colours. Within this outer web we live. It soaks up, transmutes, and is charged with human experience exuded from the world within like steam or an aroma from cooking food." See: Adams, *The Unbroken Web: Stories and Fables* (New York: Crown, 1980). Both of these ethereal zones remind me of Hegel's over soul.

¹¹ Ibid., 8. Also, see "Chapter 6: Folktales (sic)," Arbuthnot and Sutherland, *Children and Books*, 138-183.

¹² Axel Olrik, "Epic Laws and Folk Narrative," in Alan Dundes, *The Study of Folklore* (Englewood Cliffs, New Jersey: Prentice-Hall, 1965) 129-141. I rewrote and condensed his laws to make them immediately clear to those who are not folklore scholars. Olrik concludes that studying tales from around the world isn't enough: "We should apply these epic laws to the materials nearest at hand." I think that idea could also apply to printed texts from the past, like newspapers.

¹³ For a lively history of objectivity in newspapers, see David T. Z. Mindich, *Just the Facts: How Objectivity Came to Define American Journalism* (New York: New York University Press, 1998). David Schudson's *Discovering the News: A Social History of American Newspapers* (New York: Basic, 1973) is also helpful.

¹⁴ "Abnormal Humanity," *San Antonio Daily Express* (4 July 1884) 2:4.

¹⁵ Leslie Fiedler, *Freaks: Myths and Images of the Secret Self* (New York: Doubleday, 1993) 27.

¹⁶ These works shed light on Jung's theories of archetypes and the subconscious: Joseph Campbell, ed., *The Portable Jung* (New York: Penguin, 1971) 59-65; Carl G. Jung, *Four Archetypes: Mother, Rebirth, Spirit, Trickster*, trans. R.F.C. Hall (Princeton, N.J.: Princeton University Press, 1969); Stephen Segaller and Merrill Berger, *The Wisdom of the Dream: The World of C.G. Jung* (Boston: Shambhala, 1990); and Joseph Campbell, *Myths to Live By: How We Create Ancient Legends in Our Daily Lives To Release Human Potential* (New York: Bantam, 1972).

¹⁷ Fiedler, *Freaks*, 27. He explains that depth-psychology has revealed the human fear of being an aberration of nature. Part of our sexual identity crystallizes around our concept of ourselves in relation to what we learn to consider monstrous.

¹⁸ Paulette D. Kilmer, "Fantastic Reality and Realistic Fantasy," in *The Fear of Sinking: The American Success Formula in the Gilded Age* (Knoxville: University of Tennessee Press, 1996) 147-157.

¹⁹ "The Fate of a Kicker," *The San Antonio Daily Express* (3 July 1884) 4:5.

²⁰ *The Arizonian* (Tucson), untitled filler (20 October 1859) page uncertain because of the condition of the microfilm.

²¹ For an evaluation of E.P. Roe's sentimental novel, *Barriers Burned Away* (New York: Dodd, Mead, 1872), see Kilmer, *The Fear of Sinking*, 72 and 133.

²² "A Man Without Money," *The Arizonian* (20 October 1859) 4:1. The pages and columns are difficult to determine in this old newspaper. The quality of the microfilm is not very high, and the pages are not clearly numbered.

²³ "Stories of Animals," *San Antonio Daily Express* (4 July 1884) 1:2.

²⁴ Lewis Atherton, *Main Street on the Middle Border* (Chicago: Quadrangle, 1954). He shows that life in rural towns could be stifling, conformist, and dull.

²⁵ "Wilkes Booth's Horse," *Reese River Reveille* (16 May 1885) page hard to determine, probably page three. My student assistant, Dan Sczesny, found this item while I was teaching him how to look for things in old newspapers on microfilm. He also ordered all the reels of microfilm for me.

²⁶ Ibid.

²⁷ "Horse at the Bell-Chord," *The San Antonio Daily Express* (14 August 1884) 2:5.

²⁸ C. G. Jung, "On the Psychology of the Trickster-Figure," *Four Archetypes: Mother/Rebirth/Spirit/Trickster*, trans. R.F.C. Hall (Princeton, New Jersey: Princeton University Press, 1992) 142-145.

²⁹ Jan Harold Brunvand, *The Study of American Folklore: An Introduction* (New York: Norton, 1968) 106.

¹⁰ "Stories of Animals," *San Antonio Daily Express* (4 July 1884) 1:2.

¹¹ "Caught in His Own Traps," *San Antonio Daily Express* (25 February 1885, 2:4. It originally ran in the *Liverpool Courier*.

¹² Brunvand, *The Study of American Folklore*, 115. He explains in the bibliographic notes on page 127: "Mody Boatright's theory of frontier tall tales is contained in *Folk Laughter on the American Frontier* (New York: Macmillan, 1949; Collier paperback edition, 1960).

¹³ "Goose Hunting Oxen; May Sound a Little Queer, but the Story Comes Straight; In the Early Days of California Wild Geese Were so Plentiful That They bothered Cattle Ranchers, and Fortunes Were Made Shooting the Birds," *San Antonio Daily Express* (19 May 1895) 14:5.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Brunvand, *Study of American Folktales*, 116.

¹⁷ "Fired Him Out. The Weather Fiend Tries To Get In His Work and Falles (sic)," *The San Antonio Daily Express* (21 January 1885) 2.

¹⁸ "Fired Him Out; The Weather Fiend Tries to Get in His Work and Falles (sic)," *San Antonio Daily Express* (21 January 1885) 2.

¹⁹ Dee Brown, *Wondrous Times on the Frontier* (New York: Harper Perennial, 1992) 107. On page 108, he says at a political rally on a street corner in 1883 in Gunnison, Colorado, a tuba player thawed out the valves on his instrument in a bakery but couldn't keep them unfrozen long enough to play his solo. This real incident rivaled the exaggerated ones peripatetic correspondents sold to eastern newspapers. They were paid by the column inch for their fanciful accounts. (See Brown, page 109). For a lively historical look at winter see: "Blizzards and Wintry Weather," in *Acts of God: The Old Farmer's Almanac Unpredictable Guide to Weather and Natural Disasters*, Benjamin A. Watson et al editors (New York: Random, 1993) 65-79 and "Hell Without Heat: If You Think the Cowboy's Life was a Romantic One, You Should have been There in 1886," 80-87. For an engrossing account of the nightmare winter of 1888, see Mary Cable, *The Blizzard of '88* (New York: Atheneum, 1988). During that blizzard, most of the cattle on the Great Plains starved to death. According to the National Weather Service, a blizzard packs winds of 35 miles per hour or greater, is accompanied by temperatures lower than 20 degrees, and cuts visibility to less than a quarter of a mile. (See Watson, 65). Another excellent cultural study of winter is Bernard Mergen's *Snow in America* (Washington, D.C.: Smithsonian Institute, 1997). He points out on page 33 that many pioneers believed that merely establishing farms and towns on the plains would eliminate blizzards, which struck so rapidly and viciously that some froze to death within a few yards of their cabins. Mergen also notes that the snows between 1778 and 1888 impressed philosophers and artists who viewed the flakes "as an enciphered message from the cosmos" (page 39) as well as naturalists and scientists who measured and weighed it. "[None] of these students of snow doubted its benefits to humanity." (page 39)

⁶⁰ "Canned Fish Story," *San Antonio Daily Express* (24 February 1885) 3:2.

⁶¹ Brunvand, *Study of American Folktales*, 96.

⁶² *Ibid.*, 186.

⁶³ "Magic Madstones; Wonderful Life Saving Pebbles Owned in Virginia," *San Antonio Daily Express* (19 May 1895) 14:4.

⁶⁴ While all of Jan Harold Brunvand's books offer snappy reading, two are especially helpful. *The Baby Train: And Other Lusty Urban Legends* (New York: Norton, 1993) contains a thorough, extremely useful "Type-Index of Urban Legends." *Too Good To Be True: The Colossal Book of Urban Legends* (New York: Norton, 1999) synthesizes many similar elements in stories and also incorporates cartoons, graphics, and other evidence that reflect pop culture's appropriation of this narrative format. *The Vanishing Hitchhiker: American Urban Legends and Their Meanings* (New York: Norton, 1981), places the Spider in the Beehive story in context with other "Dreadful Contaminations," 75-99. In *The Choking Doberman and Other 'New' Urban Legends* (New York: Norton, 1984) he describe still "More Deadly Contaminations," including the spider under the skin on page 108.

⁶⁵ "A Horrible Fate," *Reese River Reveille* (Austin, Nevada) 16 January 1875. The front-page item was signed M.F. Pond, January 12.

⁶⁶ Willis J. Gertsch, *American Spiders*, second edition (New York: Van Nostrand Reinhold, 1979) 112. Both quotations in this paragraph come from this source. Gertsch concludes that American spiders called "tarantula" are not aggressive enough to deserve that folklore title bestowed because their size and appearance stimulated the imagination of those who first encountered these rather docile inhabitants of "trap door" dens. Just this summer, *National Wildlife* ran a feature about efforts to identify all the species of tarantulas in North America and pointed out that these scary-looking critters are shy and nocturnal. See Pete Taylor, "Though Harmless to People, the Tarantula Inspires Both Passion and Terror," *National Wildlife* 38:4, June/July 2000, 16-17.

⁶⁷ "Mail Order Tarantulas Can Take a Hike, The Post Office Rules--Leaving Mickey Jacobson With a Hairy Handful," *People Weekly* 12:16 (15 October 1979) 88. However affectionate these desert pets might become toward their owners, they do not like sharing a cage and will eat each other, proving that sometimes even two's a crowd. Gertsch, on page 112 in *American Spiders*, points out: "They make fine pets, and some quickly become so tame that they can be picked up and handled with ease. These animals have become favorite house pets, and species from many parts of the world are imported by pet shops, and many sold at exorbitant prices." Some scientists worry about the depletion of colonies of tarantulas in Texas and Arizona. Roughly thirty kinds tarantulas live in the United States.

⁴⁶ You will find these spider urban legends and their snake variants in Brunvand's books: *The Baby Train*, 278-287; *The Mexican Pet: More "New" Urban Legends and Some Old Favorites* (New York : Norton, 1986), 83-84; A variety of these creepy crawler tales appears in Brunvand's *Too Good To Be True: The Colossal Book of Urban Legends* (Norton: New York, 1999): "Spiders in the Hairdo," 191; "The Spider Bite," 192; "Spiders in Bubble Yum," 193; and "The Spider in the Cactus," 194. "The Spider in the Hairdo" also appears in the *Vanishing Hitchhiker*, 76-81. Gary Alan Fine calls urban legends "contemporary legends" because these narrative eruptions of angst have been collected all over the country in rural as well as city settings. He documents the capitalist versions of the spider in the clothes plots, pointing out that the story always ends with a warning not to buy manufactured goods from foreign countries. See *Manufacturing Goods: Sex and Money in Contemporary Legends* (Knoxville: The University of Tennessee Press, 1992) 166.

⁴⁹ Fine, *Manufacturing Goods*, 168.

⁵⁰ Jack Zipes, *Fairy Tale as Myth and Myth as Fairy Tale* (Lexington: The University of Kentucky, 1993) 47-48.

⁵¹ Jung, *Four Archetypes*, 131.

⁵² Brunvand, *The Study of American Folklore*, 93.

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Cultural and Critical Studies

The First Amendment and the Doctrine of Corporate Personhood: Collapsing the Press-Corporation Distinction

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The First Amendment and the Doctrine of Corporate Personhood: Collapsing the Press-Corporation Distinction

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In recent years, many observers have expressed concern about the increasing corporate control of the press (Bagdikian, Chomsky and Herman, McChesney, Schiller). Much of the concern centers on the corporate domination of the flow of information in a democratic society. Critics wonder how a democracy can function if the information citizens rely on is tainted by the influence of profit-seeking corporations (Bagdikian).

Controversies over the potential influence of corporations on civil society are not a new phenomenon. The U.S. Supreme Court has long wrestled with this issue. Despite the dissents of various justices, most notably Justices Hugo Black and William Douglas,¹ the Court has moved in recent decades to steadily expand the First Amendment rights of corporations. Objections have been raised that corporations are not entitled to protection under the Bill of Rights because they are artificial entities. However, as the Court noted in 1978, it is now widely accepted that "corporations are persons" (*First National Bank of Boston*, p. 780).

The legal fiction that corporations are people has been widely studied and debated (Mayer, Mark). However, the protection granted to media corporations under the press clause of the First Amendment has been the subject of little examination. Often when examining the history of corporate personhood theory, scholars ignore much of its application to the press because it "has a greater claim to constitutional protections than do other corporations" (Mayer, p. 627).²

Such observations are problematic for several reasons. First, it ignores a long line of historical study and opinion which argues that the First Amendment does not single out a

particular institution for constitutional protection (Lange). And second, and perhaps more importantly, it limits the debate about the constitutional status of the corporate press and its possible effect on public life. The debate makes the question of corporate personhood the central issue, rather than what influence corporations have on democracy.

This paper begins by articulating the theory of democracy that will guide this analysis. As political philosophers have noted, democracy is not a unified set of ideas (Held). Differing ideas about what is meant by democracy lies at the heart of many decisions of the Supreme Court (Edelman). Through an examination of Supreme Court cases, it will be argued that bright line distinctions between "the press" and corporations are no longer sustainable. And while this is damaging for the press as a public institution, it is even more damaging to the public sphere which relies on the press for institutional support.

A Discourse Model of Democracy

Much of the current debate about political theory today centers around two distinct schools of thought: democratic elitist theories and participatory theories. In elitist theories, a brut realism is substituted for the idealism often associated with participatory theories of democracy. Elitist theorists argue that citizen participation in a democracy is best limited to selecting leaders, for many other questions that face an open society are well beyond the expertise of voters (e.g. Schumpeter). As such, voting becomes the highest form of democratic participation. In opposition to elitist theories, participatory theories of democracy argue for citizen involvement in all phases of democratic governance. For participatory advocates, voting is often seen as one of the lowest indicators of democratic participation (Barber). Instead, activism is needed well beyond the voting booth.

Both of these broad models have deficiencies. As Jean Cohen and Andrew Arato have noted, the debate between the two schools of thought leaves people with two choices:

Contemporary democratic theory involves either some rather undemocratic adjustments to the "exigencies of complex industrial societies" coupled with an abandonment of the normative core of the very concept of democracy, or it proffers somewhat hollow normative visions that cannot be reconciled with the institutional requirements of modern society (pp. 7-8).

Recent theories of democracy that are built around discourse are intended to address the weaknesses described by Cohen and Arato. Discourse theory takes seriously the participatory nature of democracy. Yet, rather than restructure society entirely, it works to cordon off areas of society so as to enable political will formation to take place, absent interference from state and economic forces.³ As Jürgen Habermas has argued, strategic action (action that is based on the singular goal of winning the argument) has its foundation in the administrative and economic sectors of society (1987, pp. 153-155). One of the reasons for the decline of public life, according to Habermas, is that values that govern the administrative and economic spheres have come to replace the value of communicative action (where understanding, rather than winning, is valued) in the public and private spheres of society (1981, p. 286). In that way, Habermas argues that public life has been "colonized" by bureaucratic institutions (1981, p. 305).

This colonization has had a devastating impact on democratic society. In important ways, individuals within society became less citizens and more consumers—people whose primary reason for being has more to do with the markets they serve than the democratic functions they perform (Habermas, 1981, p. 325).

... called to the public sphere, has
 as the press changed from a literary journal, its ties to
 the public sphere changed as well (1989, pp. 181-185). Writers were no longer first and foremost
 members of the public sphere, but rather specialists who were members of a professional
 organization reporting on public life. Journalism became a technical activity, complete with
 rules and practices (Habermas, 1989). Professionalization of the press, then, played a major role
 in transforming the press' mission from one of enlivening a public discussion among equals to
 one of an authoritative transfer of information from an elite source to a passive audience.⁴ Critics
 argue that the professionalization process, especially when coupled with corporate ownership of
 the press, has increasingly drawn the press away from the needs of the public sphere (Bagdikian,
 Carey, Hallin).⁵

The central question for discourse theories of democracy is how to reverse the
 colonization of the public sphere and restore communicative action. Cohen and Arato have
 argued that the public sphere needs both positive and negative rights⁶ positive rights that allow
 participation in democratic will formation, and negative rights and liberties that will assure
 independence from state and corporate interference (p. 253). More recently, Habermas has
 articulated basic rights that follow that basic framework. These rights guarantee basic individual
 freedoms as well as the right to participate in society (1996, pp. 122-123).

His goal in emphasizing discourse is to identify a system of rights that "consists neither
 in spontaneous market forces nor in the deliberate measures of the welfare state" (1996, p. 442).
 Rather, it is a set of rights that exists "in currents of communication and public opinion" that is
 central to civil society (Habermas, 1996, p. 442).

Discourse, Democracy, and Institutions

As noted above, a model of democracy based on discourse does not restructure society to eliminate the role of institutions. Instead, institutions are seen as playing a fundamental role, albeit not the role elitist theorists and others might see them playing. Habermas has repeatedly recognized and wrestled with one of the most difficult of dilemmas in modern society: how to maintain the organizing and communicative functions of organizations, without allowing the bureaucratic structures of those organizations to dominate democratic will-formation.

Habermas, like other theorists, has recognized the importance of institutions to democratic life (Cohen and Arato, Ingber). Still, few have directly addressed the role that the media play in the formation of rational discourse (e.g. Bagdikian, Dahlgren and Sparks, Keane, McChesney, Schiller). Even less addressed is the corporate structure of institutions, and how that might influence the formation of a discursive society (Rainey and Rehg, p. 1971).

In Habermas' earlier work, too often ignored by scholars, he advocated opening up existing corporate structures within society as a way to halt the decline of the public sphere. He called for "private organizations of society that exercise public functions" to reveal their inner structure and linkages with other organizations as a matter of public record and debate. For Habermas, this would include "requiring that organizations provide the public with information concerning the source and deployment of their financial means" (1989, p. 209).

Habermas carries many of these ideas over to his ideas of how the mass media ought to be situated in modern society. Unlike liberal theorists who are suspicious of media controls and regulations, Habermas argues that the power of the media, especially in its corporate form, needs to be limited. Since the corporate growth of media power is part of the reason for the decline of the public sphere, "[t]he power of the media should thus be neutralized and the tacit conversion

of administrative or social power into political influence blocked" (1996, p. 379). The media must be "kept free of political and other functional elites" (1996, p. 376). He has little faith that professional standards can control the media, and criticizes the media for working to "depoliticize public communication" by "[r]eporting facts as human-interest stories, mixing information with entertainment, arranging material episodically, and breaking down complex relationships into smaller fragments" (1996, pp. 376-377). This prompts him to suggest that

[p]olitical and social actors would be allowed to "use" the public sphere only insofar as they make convincing contributions to the solution of problems that have been perceived by the public or have been put on the public agenda with the public's consent (1996, p. 379)

Corporations as People

In many ways, Habermas' theoretical construction stands in opposition to recent developments in American corporate jurisprudence. The rights of corporations, particularly in the areas of the Bill of Rights and the Fourteenth Amendment, have been developing since the early 1800s.

In the nineteenth century, two competing views of corporate personality were considered. "Artificial entity" theory was based on the premise that corporations, being a creation of the state, are not allowed to claim constitutional rights (Mayer). The competing theory, "natural" entity or personhood theory, was associated with theorists who conceptualized group or corporate personality. As Mayer writes, these theorists sought to challenge individualism and understand institutions in modern society (pp. 580-581). The latter view has won out.

Most writers trace the development of the Supreme Court's recognition of corporations as persons to its 1886 decision in *Santa Clara v. Southern Pacific Railroad*. The question before

the Court was whether the Fourteenth Amendment barred California from taxing the corporate property of a railroad differently from how it taxed the property of individuals. In siding with the railroad, the *Santa Clara* Court noted

The court does not wish to hear argument on the question whether the provision of the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. We are all of opinion that it does (p. 396).⁷

While the Court was willing to grant corporations protection under the Fourteenth Amendment, protection under the Bills of Rights came much later. As Mayer writes, up to 1960, corporations only enjoyed Fifth Amendment protection (p. 582).⁸ Corporations apparently were in no hurry to fight for protection under the Bill of Rights, primarily because those protections were not needed throughout most of the early-twentieth century. Mayer has argued that the combination of Fourteenth Amendment protection and substantive due process,⁹ which grew out of the Court's decision in *Lochner v. New York*,¹⁰ was a powerful tool in the hands of American corporations. The combination allowed corporations to challenge and invalidate many state regulations (Mayer)¹¹ With the end of the *Lochner* era in 1937, substantive due process ceased to be a protection for corporations (*West Coast Hotel Co. v. Parrish*).

Mayer has argued that there is an increase in corporate requests for Bill of Rights protections after 1960 because of changes in corporate regulations. Modern regulation came to be characterized by being: (1) social (environmental, women's rights, etc.), not simply economic, in nature, (2) primarily at the federal level, (3) more intrusive, systematic and routinized than New Deal or Progressive regulation, and (4) covered more industrial sectors, as opposed to being focused on a single industry (pp. 602-603). In addition to changes in regulation, there was also

Boyer (Lamar, Streeter)

Eventually, the battle over corporate regulation shifted from the Fourteenth Amendment to the Bill of Rights. And along with that movement came a rise in a new kind of substantive due process. Mayer writes:

When the Supreme Court pronounces on the nature of the corporation (for constitutional purposes) it imposes its own economic views, as it did during the substantive due process era. The question "What is the nature of the corporation?" is similar to the economic questions that the Supreme Court was criticized for asking in the *Lochner* era. In fact, theorizing about the nature of the corporation ends up as an inquiry into the propriety of regulation (p. 620).

Historical Development of Corporations and the First Amendment

As noted earlier, many historians dismiss the study of corporate theory as it applies to the press because of its special status under the First Amendment. Ignoring for the moment the complexity of that First Amendment interpretation, corporations other than the press have been claiming First Amendment protection since the 1970s. Two types of corporate speech have been the primary focus of that attention: commercial and political.

In the area of commercial speech, the Supreme Court broke from the commercial speech doctrine, articulated in 1942, and in the 1970s began granting more freedom to corporations to advertise their products and ideas.¹² At the heart of commercial speech is the protection of advertising, a central part of the modern understanding of property.

Service Commission of New York the Court applied a balancing test. The Court applied a balancing test to determine if a state could prohibit utility corporations from promoting the use of electricity if the state's ban was broader than necessary to achieve the stated goal (*Central Hudson*, p. 574). Justice William Rehnquist, in dissent, argued that the Court's action in striking down the state legislation was a decision with ties to the *Lochner* era (*Central Hudson*, p. 589). Since that decision the Court has granted protection to a number of different forms of commercial speech, ranging from the prices of prescription medicines (*Virginia Board of Pharmacy*) to advertisements by lawyers (*Bates v. State Bar of Arizona*).

While the Court has continued to apply the *Central Hudson* test as a way to decide commercial speech tests, the Court's decisions in the area of corporate political speech are more noteworthy for this study. The Court granted corporations political speech rights in *First National Bank of Boston v. Bellotti* (1978). In the case, a group of Boston corporations challenged a Massachusetts law that prohibited corporate expenditures on an income tax referendum. The Massachusetts Supreme Judicial Court, supported by the legislature, in effect carved out a new category of political speech. A corporation's speech on issues that might "materially affect" its property, business, or assets could be prohibited. But while the state court chose to focus on the question of whether a corporation should enjoy First Amendment rights, the majority of the Supreme Court argued that the central question was whether the legislation "abridges expression that the First Amendment was meant to protect" (p. 776). Justice Lewis Powell argued that the First Amendment was intended to protect the discussion of governmental affairs, and added

If the speakers here were not corporations, no one would suggest that the State could silence their proposed speech. It is the type of speech indispensable to decisionmaking in democracy, and this is no less true because the speech comes from a corporation rather than an individual. The inherent worth of the speech in terms of its capacity for informing the public does not depend upon the identity of its source, whether corporation, association, union, or individual (pp. 776-777).

Powell's decision, then, followed a long line of argument that had begun in the commercial speech cases. That argument, in its purest form, is that corporate speech is valuable not because it allows corporations to speak, but because it allows the public to have access to a diversity of ideas. As Powell wrote: "A commercial advertisement is constitutionally protected not so much because it pertains to the seller's business as because it furthers the societal interest in the 'free flow of commercial information'" (p. 783). In that same vein, Powell argued that the Court's decisions granting press and media institutions special privileges is based not only on "fostering individual self-expression," but also on their "role in affording the public access to discussion, debate, and the dissemination of information and ideas" (p. 783).

Justice Byron White's dissent centered on a slightly different interpretation of what the First Amendment protected. Following First Amendment theorist Thomas Emerson, White argued that the constitution's principal focus of protection is on self-expression, self-realization, and self-fulfillment (p. 805). As White argued, "Ideas which are not a product of individual choice are entitled to less First Amendment protection" (p. 807).

While willing to admit that corporate speech did enjoy some protection under the First Amendment—primarily in the areas of advertising and promotional activities (p. 808)—White was more than willing to limit a corporation's political speech. The threat that a corporation

poses to the political system through its ability to economically influence the electoral process was very real to him (p. 809). But more importantly, the political speech of a corporation could not lead to individual self-fulfillment because the ideas are "divorced from the convictions of individual corporate shareholders" (p. 810).

The Corporate Press as a "Natural Entity"

The *Bellotti* decision is pivotal for several reasons. While the majority in *Bellotti* agreed that corporations should enjoy a broad range of First Amendment protections, it was less clear where the corporate-owned press fell in that category. Justice Powell noted that while the Court has recognized the press' unique role in "educating the public, offering criticism, and providing a forum for discussion and debate," it does not have "a monopoly on either the First Amendment or the ability to enlighten" (p. 781). Justice White would only go so far as note that the First Amendment "does not immunize media corporations" from having to comply with restrictions on campaign contributions and expenditures (p. 808).

It was left to Chief Justice Warren Burger in his concurring opinion to bring questions of the press and corporate ownership directly into the discussion. As Burger wrote, it has become virtually impossible, due to the concentration of ownership, to distinguish media corporations from other types of corporations (p. 796). He went on to argue that because of threats to the electoral process, "it could be argued that such media conglomerates as I describe pose a much more realistic threat to valid interests than do appellants and similar entities not regularly concerned with shaping popular opinion on public issues" (p. 796-797).

Central to Burger's argument was the meaning of the press clause and whether it was distinct from the speech clause. While that issue has been the subject of much scholarship (Bezanson, Lange, Nimmer, Stewart, Van Alstyne), the Court has yet to clearly articulate how

the speech clause is different from the press clause, if in fact they do differ. Even though Chief Justice Burger claimed that "the First Amendment does not 'belong' to any definable category of persons or entities" (p. 802), he still admitted that the Court "has not yet squarely resolved" the issue (p. 798).

The Chief Justice's concurring opinion is valuable because it foreshadowed a problem that has increasingly plagued the Court, and in turn, public life in the United States. Is there a difference between the press and corporations? The Supreme Court granted the corporate press First Amendment protection in *Grosjean v. American Press Co.* (1936). In the case, newspaper publishers challenged a Louisiana state tax on newspapers and other periodicals when they exceeded a circulation of 20,000. While the tax was specifically linked to advertising carried by those publications, publishers convinced a unanimous Supreme Court to throw out the legislation as an unconstitutional restriction on freedom of the press. The Court held that the corporate press was a "person" within the "meaning of the equal protection and due process" clauses of the Fourteenth Amendment, and therefore was protected by the First Amendment (p. 244). The Court delved into the American history on taxation of the press and concluded that special taxation on newspapers is a form of prior restraint (p. 249). But the Court said remarkably little about why the corporate press is entitled to First Amendment protection. This becomes particularly interesting when the Court notes that the tax is not wrong because of the limitations placed on the publishers, but rather it is wrong because it is a "deliberate and calculated device in the guise of a tax to limit the circulation of information to which the public is entitled in virtue of the constitutional guaranties" (p. 250). In other words, First Amendment freedoms belong to the corporate press only because of the constitutional guarantees of the public, not because of any

property right endowed in the corporate press. Since citizens have free press rights under the First Amendment, those citizens have a right to receive information *from* the corporate press.

The Court's decision in *Grosjean* grounds a long debate about the meaning of the First Amendment. Some have argued that the First Amendment was meant, or should be interpreted, to protect the institutional press. Former Justice Potter Stewart went so far as to say that if the speech and press clauses of the First Amendment meant the same thing, it would be a constitutional redundancy (p. 633-634). Others have argued that privileging the institutional press under the First Amendment is neither valid constitutionally nor democratically (Lange).

Without a clear answer to the puzzle of the meaning of the press clause, today's Court seems to have divided into two general camps. The more conservative justices argue that the corporate, institutional press does not hold a privileged position in our Constitutional framework, and because of that, the press has no First Amendment rights greater than other corporations. Opposite that school of thought, the more liberal camp tends to see the press playing a special role in society, and therefore carves out a limited form of privilege, or at the very least clears the way for the creation of that privilege.¹³

The following sections review Supreme Court decisions since *Bellotti* that define the corporate press and its freedoms.

FEC v. Massachusetts Citizens for Life, Inc. (1986)

In 1978, Massachusetts Citizens for Life, Inc., a nonprofit, nonstock corporation, published a special edition of its newsletter. In that special edition, it urged voters to vote "pro-life" in upcoming elections, identified candidates in federal and state elections, and listed whether each candidate either supported or opposed right to life issues. The Federal Election Commission brought action against MCFL, claiming its actions violated Section 316 of the

Federal Election Campaign Act (FECA), which prohibits corporations from using treasury funds in connection with a federal election. The Supreme Court, through Justice William Brennan, agreed with the Court of Appeals, and found that while MCFL's newsletter did fall under the statute, the statute was unconstitutional as applied.

The MCFL case forced the Court to wrestle with the question of how to define the press. FECA exempts "any news story, commentary, or editorial distributed through the facilities of any newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate" (FECA). However, Justice Brennan denied that MCFL's Special Edition qualified for this exemption, although apparently its regular edition of the newsletter might. Brennan noted that the Special Edition was not comparable to other issues of the newsletter.

It was not published through the facilities of the regular newsletter, but by a staff which prepared no previous or subsequent newsletters. It was not distributed to the newsletter's regular audience, but to a group 20 times the size of that audience, most of whom were members of the public who had never received the newsletter. No characteristic of the Edition associated it in any way the normal MCFL publication. The MCFL masthead did not appear on the flyer, and, despite an apparent belated attempt to make it appear otherwise, the Edition contained no volume and issue number identifying it as one in a continuing series of issues (p. 250).

Brennan offered a definition of the press that turns mostly on form. Its components are: 1) the special issue must be comparable to regularly published issues, 2) it must be prepared by staff who have done previous issues, 3) it must be distributed to the normal audience, 4) and it must contain the masthead of the regularly published issue and contain volume and issue

numbers. These distinctions, for Brennan, might very well seem to be "superficial," but they were necessary so as not to grant press protections to "entities that happen to publish newsletters" (p. 251).

Brennan was willing to protect MCFL's right to publish, even though it did not qualify for the press exemption. That protection was rooted in its position as a nonprofit corporation. Nonprofit corporations do not pose the same threat to the political system as corporations that are intended to accumulate capital, Brennan argued. And while MCFL might benefit in some way from its corporate form, "those advantages that redound to its benefit as a political organization, not as a profit-making enterprise" (p. 259). As such, Brennan argued that three features are needed for a corporation to be exempted under FECA: 1) the corporation was founded for the "express purpose" of promoting political ideas and does not engage in business activities, 2) there are no shareholders who have a claim to assets or earnings, and 3) the corporation was not established by a business corporation or labor union, or accept contributions from those entities. By the latter, Brennan hoped to cut off "corporations serving as conduits for direct spending" that might hinder the political process (p. 264).

The dissenting justices, led by Chief Justice Rehnquist, opposed Brennan's willingness to give greater protection to nonprofit corporations. Rehnquist labeled Brennan's argument "distinctions in degree that do not amount to differences in kind," and argued that those distinctions should only be made by legislatures (p. 268).

Austin v. Michigan State Chamber of Commerce (1990)

The debate over the regulation and role of nonprofit corporations in political life continued when the Michigan State Chamber of Commerce challenged the Michigan Campaign Finance Act (MCFA). The Act prohibited corporations from using treasury funds to endorse

The Court, led by Justice Thurgood Marshall, argued that the Chamber did not meet the three-part test established in *MCFL*: the Chamber's goals were not all political in nature, the Chamber's members were similar to shareholders, and finally it accepted contributions from business corporations (p. 662-663).

More important for the purposes of this paper, however, is the Court's attempt to once again define why the Chamber's attempts to publish its ideas did not qualify for protection under a press exemption. The Michigan law carries a "media exemption" that excludes from regulation any "expenditure by a broadcasting station, newspaper, magazine, or other periodical or publication for any news story, commentary or editorial in support of or opposition to a candidate for elective office in the regular course of publication or broadcasting" (MCFA). The Chamber argued that such exemptions treat "similarly situated entities unequally" (p. 666). Marshall dismissed the claims by arguing that any corporation that wanted similar protection was free to enter the news business, and that the press plays a unique role in American democratic life (p. 667). The resources of media corporations, unlike other corporations, "are devoted to the collection of information and its dissemination to the public," Marshall said (p. 667). Because of that distinction, "a valid distinction" exists between different types of corporations. And while the Constitution might not recognize this unique role of the institutional press, Marshall argued that it was acceptable for Michigan to grant greater protection to the press (p. 668).

Marshall's commentary on the purpose of the media corporations in American society provoked a response from Justice Antonin Scalia. If the Court was really interested in

...bate, he argued it should be left to the political process. He wrote: "The government has a right to regulate the content of speech, but it is not the government's business to decide the ordinary channels of communication. The government is much more likely to produce the New Corruption (too much of one point of view) than amassed corporate wealth that is generally busy making money elsewhere. Such media corporations not only have vastly greater power to perpetrate the evil of overinforming, they also have vastly greater opportunity (p. 691)

He noted that media corporations "make money by making political commentary" and called the theory put forward by the majority "a dagger" at the throat of the press by making the institution dependant on the good will of legislatures (p. 691). "One must hope," Scalia wrote, "that Michigan will continue to provide this generous and voluntary exemption" (p. 692)

Justice Anthony Kennedy, in dissent, went even further in noting the increasingly problematic nature of defining the press in today's society. He called the majority's definition of the press "unsatisfying," adding that "[a]ll corporations communicate with the public to some degree, whether it is their business or not, and communication is of particular importance for nonprofit corporations" (p. 712). Beyond that, he noted the difficulty of unraveling the "web of corporate ownership" that makes separating media corporations from non-media corporations. As Kennedy wrote

Newspapers, television networks, and other media may be owned by parent corporations with multiple business interests. Nothing in the statutory scheme prohibits a business corporate parent from directing its newspaper to support or oppose a particular candidate (p. 713)

Los Angeles Police Department v. United Reporting Publishing Corporation (1999)

In 1996, the California legislature passed legislation limiting public access to the current addresses of victims of crimes and people who had been arrested by police. Addresses were available if requests were made for "a scholarly, journalistic, political, or governmental purpose, or for investigation purposes by a licensed private investigator" (*Los Angeles Police*, p. 5). The legislation prohibited the information from being "used directly or indirectly to sell a product or service to any individual or group of individuals, and the requester shall execute a declaration to that effect under penalty of perjury" (*Los Angeles Police*, p. 5-6). United Reporting Publishing Corporation was a private business that provided names and addresses of people who had been arrested to attorneys, insurance companies, drug and alcohol counselors, and driving schools. Lower courts had invalidated the statute, claiming it was an unconstitutional inhibition on commercial speech.

The majority of the Court, led by Chief Justice Rehnquist, ignored the fundamental issues raised in the case and instead focused on a procedural item in denying United Reporting's appeal. Rehnquist argued that United Reporting made a "facial attack" on the statute rather than an "applied to" attack (p. 8). As such, United Reporting attempted to rely on the effect of the statute on its potential customers. However, Rehnquist argued that he could not see how the customers had been harmed—"no threat of prosecution . . . hangs over their head"—and added that the customers were entitled to qualify for the information under the statute (p. 15). Following from that argument, the majority was able to find that the statute did not violate anyone's First Amendment rights but was simply "a law regulating access to information in the hands of the police department" (p. 17). Rehnquist noted that United Reporting had not even attempted to qualify to receive the information and, since the state could refuse to provide all

information without violating the First Amendment, the corporation did not meet the standard for facial invalidation

Other justices pointed to the failure of the majority to deal with what it considered to be the main issue before the Court—how United Reporting could not qualify as a member of the press. Justice Scalia, who concurred in the decision because the “statute is nothing but a restriction upon access to government information,” nevertheless pointed to the majority’s refusal to address a more fundamental question (p. 16). He noted that a statute that “allows access to the press . . . but at the same time denies access to persons who wish to use the information for certain speech purposes, is in reality a restriction upon speech rather than upon access to government information” (p. 17).

Justice John Paul Stevens, whose dissenting opinion was joined by Justice Kennedy, disagreed with the Court’s focus on the facial challenge. Stevens viewed United Reporting as making an applied challenge, but added that a “different, and more difficult, question is presented when the State makes information generally available, but denies access to a small disfavored class” (p. 23). Stevens wrote that the State’s attempt to justify the restriction by arguing that it would protect the privacy of victims and arrestees fell far short of what was needed. Stevens wrote

Although that interest would explain a total ban on access, or a statute narrowly limiting access, it is insufficient when the data can be published in the news media and obtained by private investigators or others who meet the Amendment’s vague criteria (pp. 24-25)

Stevens argued that the real, unstated reason for the statute was to prevent lawyers from soliciting business from unrepresented defendants (p. 25)

...individuals, justice ... vent years ...
distinction between the press and corporations. Various ... have put forward several
options. They include

Form over function Led by Justice Brennan, some have argued that the press can be differentiated from corporations by the form of its communication. In this test, the emphasis is on what the product looks like, who it is disseminated to, and who produces it. If the public relations staff of a corporation puts together a newsletter, apparently it will not qualify for protection under the press clause. While Justice Brennan's intention was to find a way to promote and protect the integrity of the press, his test also serves as a protection primarily for the institutional or corporately owned press. Brennan's test not only places non-media corporations outside of press clause protection, but also the alternative press that might not be distributed on a regular basis or to a large audience.

Function over form Justice Marshall moved away from the focus on the form and moved directly into assessing the content of the publication. In his analysis, the press was privileged because its primary mission was not to make money, but to disseminate information. Of course, with the growing corporate control of the news media in the United States, that argument—if it was ever true¹⁴—is certainly being challenged today. The emphasis on many newspaper operations to produce high profit margins—margins higher than most other major industries in the United States¹⁵—calls into question the corporate press' dedication to disseminating news over making money (McManus, Underwood). This type of distinction becomes particularly problematic when we try to figure out how a corporation that collects information on people who have been arrested, and disseminates that information to subscribers, differs from the function

profitable newspaper, which also reports on arrests and distributes it to people who subscribe to its service. Is it one the press and the other not? If one replies that it is because the newspaper's audience is more public, then moves by the press to tailor its product to a specific target audience more attractive to advertisers would seem to eliminate newspapers from that protection. In the end, it is difficult to sustain bright line distinctions between the press and corporations in today's media.

Corporate Leveling A number of justices, led by Justice Scalia,¹⁶ have made arguments that the press is not special and that the press clause was not intended to protect a specific institution. Corporations, being people, should all be treated the same. This, however, has not meant that these justices have sought to bring the corporate press down to the level of non-media corporations. Rather, these justices have attempted to raise non-media corporations to the level of press corporations by granting all corporations First Amendment rights. This argument is especially powerful in Justice Burger's opinion, when he posits the idea that non-media corporations can serve as a check on media corporations. Even if we grant Justice Burger the argument that granting corporations First Amendment rights will serve as a check on the corporate media, that says little about what such a decision means for the freedoms of average citizens in society and their ability to participate in that society. Corporations, whose primary mission is making money, seek to segment the society to make it easier to reach targeted groups of people. This segmentation tends to fragment the public sphere, creating and highlighting differences among groups in society and hindering the formation of grassroots organizations. In certain ways, then, the corporate world's attempt to stop the Supreme Court from dividing it into media and non-media segments parallels how for-profit corporations segment and fragment the public sphere.

Seeking Solutions

The perspectives outlined above have come to dominate the discussion about the First Amendment and corporations. Following discourse democracy, it is argued that in order to promote a functioning public sphere, the solutions advocated by the Court do not adequately address that need.

Habermas has suggested that corporations should only be granted certain rights if they enable the functioning of public life. As he noted in an interview in 1998, "I do not think I really harbour any illusions about the condition of a public sphere in which commercialized mass media set the tone" (1998, p. 8). Yet, when asked how society might redefine the media's role, he responded that that was a question "for which I have no immediate answer" (1998, p. 9). This section will briefly explore several options that might be starting points for addressing the corporate press dilemma.

Holding Corporations Accountable

One alternative to halt the encroachment of corporate values into civil society would be to break from precedent and revert to treating corporations as artificial entities. Despite dissents from various justices advocating this move over the years, no justice has seriously suggested this since the 1940s. Rather than fighting to change precedent, some groups have begun trying to force states to hold corporations accountable for their actions. The suggestion made by some groups is that since corporations were created by the state in which they were chartered, then that state also has the power to revoke the charter. As Thomas Linzey, president of the non-profit organization The Community Environmental Legal Defense Fund, has written, "Harmful corporations should be put out of business, and citizens must regain control over these unelected, unaccountable entities in order to preserve human and environmental health" (p. 33).

All states, except Alaska, have *quo warranto* statutes that allow states to revoke charters for corporations that have abused or misused their charter powers. Many of these statutes, however, give the state attorney general discretion over whether to initiate proceedings against a corporation (Linzey, p. 47). Delaware, for example, has one of the stronger charter revocation statutes in the United States. It requires the attorney general to bring action against a corporation whenever a "proper party" presents "clear and convincing evidence" that the corporation has abused its charter (Linzey, p. 47). In the past, states have revoked corporate charters for statutory violations, non-payment of taxes, failing to file required disclosure forms, playing baseball on a holiday, price-fixing, and other violations (Linzey).

In recent years, the attempts to revoke corporate charters have centered on environmental issues. Those attempts have proven to be unsuccessful, at least in terms of actually revoking corporate charters.¹⁷ They may have been more successful in making people aware of the opportunities that exist for change and initiating long-term agendas for reform. As Richard Grossman, co-director of the Program on Corporations, Law and Democracy, has written:

We are not aspiring to bring about good corporate citizenship—corporations are fictions, not citizens. We are not looking for corporate responsibility either. As subordinate entities, corporations must do what "we the people" tell them to do. WE are the ones who must act responsibly. . . . We plan to accomplish these goals by amending state corporation codes, by rewriting corporate charters, by revoking charters, by forbidding corporations from owning other corporations, by limiting corporate capitalization and property holding, by banning corporations entirely from participating in elections, in our lawmaking, in our education, by ending the absurdity of corporate personhood (p. 141).

...man, for he has asked what we can have in common with the news and instruct us in our history" (p. 141)

Working From Within

If we begin from the standpoint that the Supreme Court is unlikely to turn back freedoms granted to corporations, we need to find ways within the existing case law to bring more power to the public sphere and reward those corporations that work to benefit society. A starting point could be to continue to build on Justice Brennan's argument in *MCFL* that nonprofit corporations might enjoy more privileges than corporations that primarily function to make money. The Court has already accepted this premise. Brennan's decision has cleared the way for the granting of greater freedoms to those corporations that seek to disseminate political ideas rather than make money. Of course, the Court would have to be resolute in its inquiry about each corporation's mission.

Providing privileges, whether it be through tax benefits, subsidized printing, or access rights to information to certain non-profit corporations based on content would undoubtedly be challenged from the perspective that the state is (1) making content-based decisions in an effort to (2) interfere with the private property of the press. The second argument is more easily dismissed than the first. As we have seen, as far back as the Court's decision in *Grosjean*, the press' special status has less to do with property rights and more to do with its perceived role in society. As Owen Fiss has noted

The property rights of newspapers ... come from laws that apply to all businesses. However, the special status of the press and its claim for freedom derive from the

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function of that institution in society—to inform the public—and should not turn on the merits of its property rights or the particular dynamics that gave rise to those rights. As Justice Brandeis noted that the institutional press has elected to cast its lot with the state and the emphasis on its role in democracy rather than by making property arguments. The second objection, then, seems less compelling, even though those property arguments are still recognized by the Court.¹⁸

More difficult to dismiss is the content argument. The Court has held that decisions based on the content of the message are unconstitutional (e.g., *Hurley*). However, if we recast the media as public fora, not unlike shopping malls or public parks, then the state can play an affirmative role in the creation of democracy. Under this proposal, existing First Amendment rights would not be taken away from corporations, but those nonprofit organizations that serve the public sphere would enjoy benefits above and beyond their for-profit corporate brethren. The Court itself has noted that granting more rights to certain groups in society is acceptable, as long as the state does not subtract rights from the rest of society.¹⁹

Something similar to this suggestion in the broadcast arena has been put forward by Rainey and Rehg. They have proposed the formation of what they call The Corporation for Public Interest Speech and Debate (p. 1973). Created by Congress, this institution's primary mission would be to "design, establish, and operate a noncommercial electronic public affairs network in which the unorganized discourses originating in civil society may be presented in the public sphere in a multifaceted, decentered electronic public forum" (p. 1974). Through strict oversight and a broad-based membership, Rainey and Rehg hope such a corporation could escape "the corrosive influence of ideology, bias, and the abuse of power" (p. 1980). Funding for the corporation would come from federal monies raised through taxes on the

telecommunications industry (pp. 1975-1976). The hope is that through the creation of better institutions that we can find ways to allow people to gather and exchange information while limiting the influence of for-profit corporations.

Conclusion

This paper has argued that without rethinking and restructuring the Supreme Court's current understanding of a free press, democratic society will suffer. Current definitions of "the press" put forward by the Court help us little in trying to separate that institution from the other corporations in society. In the end, perhaps some members of the Court are correct in suggesting that we cannot find differences where none exist. This paper has suggested, however, that adopting that framework will hurt not only free press rights in society, but more importantly the vitality of public life. If, as Habermas suggests, that the media are a central institution in the maintenance of a democratic society, then granting for-profit corporations another avenue of entry into the public sphere through the application of the doctrine of corporate personhood is a potentially devastating decision.

Notes

¹ In 1938, Justice Black argued that the purpose of the Fourteenth Amendment was to "protect weak and helpless human beings" (*Connecticut General Life*, 1938, p. 87). Despite that intent, Black noted that during the first 50 years of the Amendment, "less than one-half of one percent invoked it in protection of the negro race, and more than fifty per cent asked that its benefits be extended to corporations." Black believed that the Court added corporations to the meaning of the Fourteenth Amendment without warning, thus depriving the states the privilege of regulating corporations (*Connecticut General Life*, 1938, p. 89). In 1949, Justice Douglas also rejected the idea that corporations are people under the Fourteenth Amendment. Douglas wrote: "We are dealing with a question of vital concern to the people of the nation. It may be most desirable to give corporations this protection from the operation of the legislative process. But that question is not for us. It is for the people. If they want corporations to be treated as humans are treated, if they want to grant corporations this large degree of emancipation from state regulations, they should say so. The Constitution provides a method by which they may do so. We should not do it for them through the guise of interpretation" (*Wheeling Steel Corp.*, 1949, p. 581.)

² Of course this is a controversial interpretation, and one that has been directly challenged by several members of the current Court. David Rocklin writes that if someone reads the Court's decision in *Grasjan v. American Press Co.* (1936) in conjunction with *Hague v. CIO* (1939), they "seem to indicate that only corporations possessing free press rights would be accorded free speech rights" (p. 163).

¹ As Cohen and Arato write, "it is not the emergence of the differentiated political and economic subsystems and their internal coordination through system integration that produces the 'loss of freedom,' but rather the penetration of an already modernized lifeworld by their logic, prompted by the selective pattern of institutionalization" (p. 448).

² Of course, the rise of the press also brings with it positive aspects for society. As Cohen and Arato note, the mass media cannot be construed as "purely negative sign of the commodification or administrative distortion of communication." The story of the public sphere and mass media is neither entirely positive nor entirely negative. Rather, as Cohen and Arato note, it is "one of the penetration of culture through money and power, and another of the renewal of a more universal, inclusive, and pluralistic public life made possible by the modernization of the lifeworld" (pp. 460-461). The goal of discourse theory is to emphasize the second, while limiting the first.

³ In some ways, the public or civic journalism movement is an attempt to counter this trend. For a good discussion of the ideas associated with this movement, see Glasser.

⁴ For a description between negative and positive rights see Berlin.

⁵ Historian Morton Horwitz has argued that *Santa Clara* (1886) does not break with precedent that can be traced back to *Dartmouth College v. Woodward* (1819). Horwitz sees the *Santa Clara* Court as not necessarily accepting corporations as people, but rather trying to protect the property rights of individual shareholders. Horwitz argues that "corporate personhood" theory had not even been developed at the time of the *Santa Clara* decision. However, he argues that personhood theory has been gradually absorbed into the meaning of the *Santa Clara* decision "to establish dramatically new constitutional protections for corporations" (p. 174).

⁶ The Court first granted corporations Bill of Rights protections in *Noble v. Union River Logging R.R.* (1893). In the case, the Court granted a corporation Fifth Amendment due process rights. The Court had granted Fourth Amendment protections to corporations in *Hale v. Henkel* (1906), but it limited those rights in *United States v. Morton Salt Co.* (1950).

⁷ Substantive due process, broadly speaking, is the general substantive limitation upon the police power of the state. According to Kelly, Harbison, and Belz, writing on substantive due process prior to the 1930s, "Any state statute, ordinance, or administrative act which imposed any kind of litigation upon the right of private property or free contract immediately raised the question of due process law. And since a majority of statutes of a general public character imposed some limitations upon private property or contractual right, the ramifications of due process were endless" (p. 416). The authors argue that while substantive due process is not inherently conservative "in a socioeconomic sense," it may be "antidemocratic" and is an instrument "of power that can be used for different political purposes" (p. 417).

⁸ In *Lochner v. New York* (1905), the Court held unconstitutional a New York State statute limiting the number of hours employees could work in a bakery. The bakery owner maintained that the statute interfered with his freedom of contract and was therefore unconstitutional under the Fourteenth Amendment.

⁹ Others have argued that the Court's power in this area was far more subtle and complex. For example, Kelly, Harbison, and Belz note that between 1887 and 1910, 558 cases challenging state legislation under the due process clause came before the Court, and the Court sustained 83 percent of the cases. The authors believe that this can be explained by the fact that justices "did not have complete discretion to decide things according to their own political and social values. Most cases could be disposed of under established precedent and rules of law." The power of the Court to determine the reasonableness of the legislation "greatly increased the policy-making capability of the judiciary without making it supreme" (pp. 416-417).

¹⁰ The commercial speech doctrine holds that commercial speech enjoys less protection than political speech under the Constitution. In *Valentine v. Christenson* (1942), the Court ruled that a man, who was distributing handbills advertising tours of a submarine, was engaging in "purely commercial advertising" and had no First Amendment protection.

¹⁴ McChesney sees this idea as being problematic. He writes, "Of course, in practice, professional journalism has never enjoyed the independence from corporate or commercial pressure suggested by its rhetoric" (p. 49).

¹⁵ Bagdikian notes that profit margins of daily newspapers is "two or three times higher than average profits of the Fortune 500 top corporations." The average profit for publicly traded news companies in 1994 was 20 percent (p. xxii).

¹⁶ Justice Scalia held this view long before he was appointed to the Court. As an assistant attorney general in the U.S. Department of Justice in 1975, he testified against a proposed federal shield law for journalists. Scalia told a House of Representatives committee that the First Amendment "does not mean freedom for newspapers and publishing houses, but rather freedom to publish" (*Newsman's Privilege*, p. 8).

¹⁷ An attempt to revoke the charter of the petroleum company, Unocal, in California failed when the state attorney general refused to initiate proceedings. For details on this action and others, see the web page for Ending Corporate Governance, <http://www.ratical.org/corporations/index.html>.

¹⁸ For example, in *Arkansas Educational Television Commission v. Forbes* (1998), the Court relied on property arguments in ruling that a state-owned television network could hold political debates and exclude third-party candidates.

¹⁹ In *Pruneyard Shopping Center v. Robins* (1980) the Court ruled that California could interpret its constitution to give citizens access rights to privately owned shopping malls. The Court recognized that states may interpret their constitutions freely as long as their decisions promote, rather than negate, federal rights.

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THIS MYTHICAL PLACE, *EL PAIS DE LAS MUJERES* :
REPRESENTING WOMEN IN A VENEZUELAN
TELENOVELA

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INTRODUCTION

Latin American *telenovelas* stand out as a genre that has successfully challenged its U.S. counterpart—the soap opera—in a global media environment that is increasingly dominated by the United States. Notwithstanding the crucial relationship between Latin American culture(s) and *telenovelas*, the fascination with the genre is worldwide. Every day huge audiences that transcend nation, class, culture and gender differences sit in front of the television to watch episodes of one, two or more *telenovelas*, “the most watched television genre globally” (McAnany & La Pastina, 1994, p. 828).

Soap operas and *telenovelas* share the paradox of being successful and disdained at the same time. Widely watched in the U.S., soap operas have been devalued as a feminine genre (Allen, 1995), “[i]n dominant discourse, soap operas often still are spoken of as trash. Viewers understand that the choice of soap operas as their television genre is not a socially valued act” (Brown, 1994, p. 18). Attracting huge audiences, *telenovelas* have propelled the development of the Latin American television industry. At the same time, however, the genre is devalued and associated with female and low-class consumption. “[It is] a popular Latin American saying that *telenovelas* [are] for maids, that is, for lower class, ignorant female viewers” (Lozano, 1989, p. 12).

Besides the fact that both are serial genres, soap operas and *telenovelas* also share their use of melodrama. The Latin American *telenovela*, nonetheless, differs from the soap opera in important ways: (a) *telenovelas* have a finite number of chapters (120-200)¹, therefore, viewers expect a definitive conclusion to the story, (b) they are financed by television networks and broadcast both in primetime and in the afternoon block, (c) for Latin American actors and actresses, *telenovelas*—not Hollywood—define stardom, (d) because they perform in various *telenovelas*, the identities of actors and actresses are not tied to the characters they portray as is the case in the American soap opera system (Matelski, 1999), (e) most *telenovela* stories center on a main character who is usually

1. There are some noteworthy exceptions. *Cristal*, a highly successful Venezuelan *telenovela* had 250 episodes, while Mexican production *Simplemente María* consisted of 500 episodes (O'Donnell, 1999).

female, and in many cases provides the name for the serial, e.g.: *Esmeralda*, *Kassandra*, *Cristal*, *Ligia Elena* (O'Donnell, 1999).

Telenovelas are inextricably linked with the Latin American culture(s) that manufacture and consume them. The genre produces a "cultural landscape" for its viewers (p. 184), one in which the telenovela acts both as "an agent for and participant in the complex processes of Latin American modernization, nation-building and increasing transnationalization" (Lopez, 1995, p. 257).

However, the fascination with telenovelas is not limited to this region. In 1992 Mexican production *Los ricos también lloran* [*The Rich Also Cry*] was watched regularly by 200 million people in Russia (O'Donnell, 1999). In 1997, the TELENOVELA CHANNEL, a joint venture between the United Kingdom's ZONE VISION and Venezuela's VENEVISION VISION EUROPE, premiered to a potential audience of three million Polish, Hungarian and Romanian viewers. Its future plans include Russia, the Czech Republic and the Mediterranean countries (Matelski, 1999). In sum, the telenovela is a significant cultural phenomenon, challenging the assumption that globalization equals "American."

Despite widespread global circulation, telenovelas have been largely ignored by European and American researchers. Latin American scholars, on the other hand, recognize the genre as a cultural and communication phenomenon that plays a key symbolic role in the lives of the millions who watch it. In the 1970s, Latin American communication research, influenced by theories of cultural dependence and media imperialism, rendered a picture of telenovelas as alienating products directed at audiences described as passive victims (Colomina de Rivera, 1974; Beltrán, 1978). In contrast, Latin American scholars in the 1980s and 1990s, attempting to understand the intricate relationship between telenovelas and Latin America's uneven modernity, have given audiences credit. (Fadul, 1993^a; Marques de Melo, 1988; Martín-Barbero, 1987; 1988; Martín-Barbero & Muñoz, 1992; Mattelart & Mattelart, 1990).

The research presented in this paper is part of a larger study of a Venezuelan-produced telenovela, *El País de las Mujeres* [*The Country of the Women*], broadcast to high ratings in

Venezuela, Puerto Rico, and the U.S.² Drawing on cultural studies, this report focuses on one (of the many) representations of reality present in this telenovela: how women are constructed through *El País de las Mujeres*' stories, characters, dialogue and visual images. Representation has always been a site of struggle for women. "The women's movement is not only engaged in a material struggle about equal rights and opportunities for women, but also in a *symbolic conflict about definitions of femininity*" (emphasis added, van Zoonen, 1994, p. 12). This paper acknowledges that the media play a crucial role in the construction of "the feminine" and "women." By focusing on a successful media product, a telenovela, I attempt to uncover the "ideologies of the everyday" (Brooker, 1998, p. 41) that underscore its representation of Venezuelan women trying to understand whether these debase or empower women.

I first present a brief history of the Latin American telenovela, a description of the traditional Venezuelan telenovela, a synopsis of *El País de las Mujeres*, and a justification for choosing it for the study. This is followed by a literature review that highlights previous scholarship on telenovelas. The theoretical framework of the study and the method used precede the presentation and analysis of the findings. I conclude by explaining how this paper fits into the larger study of this particular telenovela, a study which attempts to provide much-needed, understanding of this media product, the cultural context(s) of its production and consumption, and its social and cultural consequences.

TELENOVELAS: LATIN AMERICA, VENEZUELA, AND *EL PAÍS DE LAS MUJERES*

Telenovelas

La telenovela latinoamericana es una narración melodramática de exacerbados conflictos sentimentales, con fuertes y definidos caracteres—carentes de matiz—y asociados generalmente a una trama de ascenso social (Quiroz, 1993, p. 33).

[The Latin American telenovela is a melodramatic narrative of exacerbated sentimental conflicts, with well-defined and strong characters—that lack dimension—generally associated to a plot about social advancement (Quiroz, 1993, p. 33)]

2. UNIVISION (March 1999-October 1999).

The history of telenovelas seems to begin with the successful production of Cuban radionovela *El Derecho de Nacer* [*The Right to be Born*] in 1948 ("A brief history," 1996; Martín-Barbero, 1995). The first telenovelas were produced in Cuba, Brazil and Mexico in 1952. The first literary telenovela (adapted from a novel by Rómulo Gallegos) was Venezuela's *Doña Bárbara* produced in 1958. The exile of Cuban telenovela writers to Mexico, Venezuela and Brazil during the Cuban Revolution of 1959 brought about the Latinoamericanization of the genre. As Marilyn Matelski (1999) aptly states, "Cuba's loss had indeed become Latin America's gain" (p. 61). Today, Mexico, Brazil and Venezuela (along with Argentina), are the main producers and exporters of telenovelas.

Delia Fiallo is one of the Cuban writers who fled the Castro regime. In Venezuela, she wrote some of the most successful telenovelas of the past forty years, some of which have been remade several times in different countries.³ Fiallo's work embodies the traditional model of telenovela, characterized by a central story of heterosexual love in which obstacles and intrigues plague the main couple who has to overcome these impediments and schemes in order to achieve happiness together. The two main characters usually have different socioeconomic origins; therefore, their love story is also about socioeconomic advancement. Triangles (two men/one woman, two women/one man), and double triangles are also characteristic of the genre (Klagsburn, 1993). In addition, the problem of "ignorance of an identity" is always central to the story:

Melodrama is the reason that the moving force behind the plot is always the ignorance of an identity, be it the child's ignorance of his parent's identity, one sibling of another's, or a mother of her child's (Martín-Barbero, 1995, p. 277).

Becoming blind, crippled and/or pregnant are also staples of the genre, whose heroines undergo these "situations," only to overcome them before the (happy) ending.

Traditional telenovelas are characterized by "heart-rending, tragic suffering" (p. 279), and by

3. *Esmeralda* (1968) is a prime example, being remade under the same name (1997) in Mexico, and also as *Topacio* (1986) in Venezuela.

unidimensional characters that offer a Manichean view of social roles, i.e.: the villain is pure evil, and the heroine is usually sweet, virtuous and naive. In 1968, TV TUPI in Brazil produced *Beto Rockefeller*, which broke the traditional telenovela model by including realism, social issues and humor. This telenovela started the development of a new model of the genre, characterized by the depiction of characters and situations that are more realistic and inserted into national reality.⁴

Heavily influenced by Fiallo's work, Venezuelan and Mexican telenovelas, for the most part, do not follow the Brazilian model, using — instead — the traditional pattern. However, their different national cultures are reflected in their particular production styles. Mexican telenovelas are usually lavish in their scenography, wardrobe and make-up; Venezuelan telenovelas are, in general, visually austere, "carrying primarily orality to an extreme" (Martín-Barbero, 1995, p. 280). With the exception of widely popular *La Dueña* [*The Owner*],⁵ Venezuelan telenovelas have been produced by the country's two major commercial networks, VENEVISION and RCTV. Many of these serials have enjoyed success as exports. The most notable examples are VENEVISION's *Esmeralda* (1968), and RCTV's *Cristal* (1990) and *Kassandra* (1994).

In 1992, RCTV was the first Venezuelan network to attempt a rupture with the traditional model by including the social and political issues of the day. *Por Estas Calles* [*In These Streets*] is credited with having contributed to the impeachment of president Carlos Andrés Pérez by exposing his government's corruption (L'Unità, 1994 as cited by O'Donnell, 1999). *Por Estas Calles* took realism to the extreme; its episodes "were often re-edited only hours before airing time so as to coincide more directly with each day's political developments" (Lopez, 1995, p. 266). Venezuelan

4. Brazil's GLOBO has produced some of the most successful and influential telenovelas of this group: *A Escrava Isaura* [*Isaura, the Slave*] (1976) and *Roque Santeiro* (1985) which achieved a 98 percent audience share ("A brief history," 1996). In 1989, Globo faced competition from rival network MANCHETE and its telenovela *Pantanal*, which included some nude scenes (Matelski, 1999).

5. Venezuelan writer José Ignacio Cabrujas based *La Dueña* on Alexander Dumas' *The Count of Montecristo*. The telenovela was produced by state-owned VTV.

writer César Miguel Rondón was the author of two successful telenovelas broadcast by VENEVISION—*Las Amazonas* [*The Amazons*] and *El Sol Sale para Todos* [*The Sun Rises for All*—that also broke with the traditional mold by avoiding the focus on one couple and presenting, instead, an ensemble cast.

Despite the success of these innovative telenovelas, Venezuelan serials—in general—still follow the traditional model introduced by Fiallo forty years ago. "*La novela rosa* [the rose novel]," as Venezuelans call the love stories that lack realistic elements, make up the majority of Venezuelan telenovela products.

El País de las Mujeres

Writing a synopsis for a telenovela is a daunting task. The genre is characterized by a myriad of intrigues that create a convoluted web of storylines. Traditional telenovelas, as noted, center on two main characters (a heterosexual couple) and their search for love. *El País de las Mujeres*, however, has an ensemble cast and multiple main characters, which further complicate the task of summarizing its plot. What follows is an effort at succinct synopsis; most of the intrigues that typify the genre and complicate the plot are not detailed.

Leonardo Padrón, headwriter of *El País de las Mujeres*, described this telenovela as an attempt to explore the Venezuelan female universe (Gómez, 1998). He does so by intertwining different characters and their stories in an urban saga, set in Caracas, that highlights women's struggle to become managers and interlocutors of their own lives. *El País de las Mujeres* tells the stories of a family of six women's individual search for happiness. Mariana, Pamela, Miranda, Julia and Chiqui are cousins. Their aunt, Arcadia, has raised them because their own mothers are either dead or absent.

Mariana is a bright journalism student who works part-time as a photographer. A brunette with a broad smile, she has a cheerful disposition and a knack for speaking her mind. Mariana is about to marry Rodolfo—a successful, but corrupt, plastic surgeon with a terrible temper—when

she travels outside Caracas and meets Camilo, an investigative reporter who has been living for the past years away from the city since he was the victim of a murder attempt. Mariana and Camilo fall in love. Mariana does not know that Camilo and Rodolfo are best friends. Neither does Camilo know that Mariana is his friend's fiancée. Mariana and Camilo's love goes through the ups and downs typical of the traditional telenovela. Their love overcomes all the intrigues, lies and jealousy.

Pamela wants to be a famous Hollywood actress. To that end, she unscrupulously lies, cheats and sleeps her way through a Venezuelan network. In her own words, Pamela is "addicted" to plastic surgery. She boasts a perfect body and face, which she uses in the search for stardom and fame that consumes her. Her clothing is tight, revealing and glamorous. Pamela also falls in love with Camilo. She and Rodolfo conspire against Mariana and Camilo's love, forming a classic telenovela double triangle, spiced with the ongoing (and hidden to all other characters) sexual relationship between Pamela and Rodolfo. In the end, Pamela does not get Camilo, but gets her opportunity in Hollywood.

Although Miranda is Pamela's sister, they are very different. Miranda is an engineer who works at the Venezuelan oil rigs, where she is the victim of sexual harassment by a male engineer obsessed with her. Miranda and Pamela's mother left them when they were little girls. And, as a teenager, Miranda was molested by her aunt's husband, Arsenio. These experiences have turned her against men. Most of the time Miranda is dressed in black. Leather is a regular part of her wardrobe, which contrasts with those of the other female characters as being "*poco femenino* [not very feminine]." Her clothes also reflect her rebellious attitude and her determination to be her own person. When she is fired from the oil company, Miranda works as a bartender in her family's restaurant and falls in love with Diego, the restaurant's chef. With loving patience Diego helps Miranda overcome her personal traumas.

Julia and Chiqui are sisters. Julia is a romantic dreamer whose marriage fails when she finds that her husband is homosexual. Years later, Julia, an insurance agent, falls in love with Fabian, a famous telenovela actor, whose real life resembles that he plays on the set—a seducer.

Fabian pretends to be a widower to seduce Julia, hiding the fact that he is married to Sandra, a successful businesswoman who fights tooth and nail to keep her marriage alive. Julia, Sandra and Fabian's story is underscored by his inability to choose between the two women. He seems to love them both. In the end, Julia and Sandra make the choice for him. Both women are pregnant, but Sandra leaves Fabian and goes to Japan to work for a client, and Julia decides to be a single mother and stay away from Fabian. Fabian ends up alone.

Chiqui is married to Jacobo, Camilo's older brother. Jacobo and Chiqui have a 9-year-old daughter. Their marriage is marred by constant arguing that highlights their personality differences and differences in taste. Chiqui is a vegetarian who believes in astrology and esoteric, non-traditional sources of energy, such as quartz and pyramids. She is constantly worried about making ends meet and works as a veterinarian at the zoo. Chiqui has an explosive temperament and always seems to be ready to pick a fight with her spouse. Jacobo is an urban planner, who loves thick, juicy steaks, and is uncomfortable with animals. He continuously denounces Venezuela's corruption and believes in honesty. Even though Jacobo and Chiqui reconcile several times, they end up getting a divorce. Jacobo remarries and Chiqui, after undergoing therapy, acknowledges that she has some "unresolved issues" that hinder her from establishing good relationships.

Arcadia is the family's matriarch. Unable to have children of her own, she has dedicated her life to her five nieces and her husband, Arsenio. At the beginning of *El País de las Mujeres* Arsenio leaves Arcadia for a young woman. Arcadia discovers that he has been a crook, a corrupt government official who robbed the country shamelessly (with Rodolfo as his partner). Before leaving her, Arsenio mortgaged Arcadia's house. His legacy to her is a string of debts and a brothel that he owned. Arcadia's life changes dramatically. Besides feeling betrayed, Arcadia realizes that for the first time in her life she needs to earn a living. She fakes her own suicide, and gathers her nieces at the cemetery, where they bury a casket that contains mementos from her 25 year-old marriage while she proclaims: "*hoy se enterró a la última estúpida de esta familia de mujeres* [today we bury the last stupid person of this family of women]." Arcadia and her nieces decide to

turn the brothel into a restaurant, in which they will all work part-time. Arcadia's presence is pivotal in all of her nieces' conflicts. They go to her for advice and support. Arcadia embodies high moral standards, sometimes being harsh on her nieces when she feels they have taken a "wrong turn". She is hard on herself too since she takes her nieces' failures as if they were her own. Throughout the telenovela, Arcadia is subjected to Arsenio's humiliations, who calls her "*vieja* [old]" and "*aburrida* [boring]." Arcadia, who is in her fifties, ends up falling in love with a man 15 years younger than her, Daniel, and adopting a young daughter, finally fulfilling her strong maternal instincts, and bringing an empowering resolution to the issue of being "*vieja*."

Besides Arcadia and her nieces, there are other characters essential to the stories. Lucas and Catalina have been married for 22 years. Lucas is a policeman who treats Catalina as if she was his servant, expecting her to produce perfect meals, ironed shirts, a clean house, and to have no thoughts or opinions of her own. He is continuously unfaithful to her and puts her down at every opportunity. Catalina is thoroughly absorbed by her domestic duties and does not realize that Lucas does not respect her. She numbs herself with housework in order to avoid the realization that she is in a loveless marriage. Catalina eventually realizes Lucas' infidelity and leaves him when he beats her. She changes her life, goes back to college and remarries. Lucas and Catalina have two sons. Salvador, the oldest, is a medical student who is the antithesis of his father. He is respectful of women, loves his mother deeply and has no respect for his father who he coldly calls "Lucas." Ulises, the other son, is a classmate of Chiqui and Jacobo's daughter. This coincidence provides the segue into Catalina and Jacobo's love story. They take refuge in each other as their respective marriages fall apart. Jacobo helps Catalina to rebuild her self-esteem and is instrumental in her decision to return to college. In the end, they marry and have a daughter of their own.

In a father-son-woman triangle, Lucas falls in love with the same woman that his son, Salvador, loves: Almendra. A beautiful girl from a lower economic level, Almendra [Almond] is the adopted daughter of Próspero and Sagrario (the lifelong maid at Arcadia's house). Almendra works at a newspaper stand while she dreams of becoming a tour guide. Her destiny changes when she

meets Lucas and falls in love with Salvador. In a typical telenovela plot centered on "the ignorance of an identity" (Martín-Barbero, 1995, p. 277), Almendra does not know that Lucas is married and that he is Salvador's father. For her, Lucas is a good policeman that likes her, while Salvador is the man she loves. However, Salvador breaks with her when he discovers that his father is in love with her, and he wrongly assumes that Almendra has seduced his father, breaking up his parents' marriage. After all the arguments and misunderstandings characteristic of the genre, Salvador and Almendra restart their relationship and get married.

But Almendra's identity is also important to the story, since her real parents are Arsenio and Arcadia's sister, Natalia, who abandoned Almendra and her other daughters—Miranda and Pamela—without an explanation. Natalia has lived in Europe for the past 18 years hiding the passionate love affair she had with her sister's husband. In the end, as the genre dictates, all secrets are discovered. Natalia, belittled as the worst mother, redeems herself by killing Arsenio—the love of her life—when she learns that he molested her daughter Miranda.

After 162 one-hour episodes,⁶ *El País de las Mujeres* ends with a series of scenes presenting the main characters as they proceed with their lives while the head writer, in a voice over, explains how this telenovela "*intentó ser un homenaje al don poético de ser mujer* [intended to pay homage to the poetic gift of being a woman]."

Why *El País de las Mujeres*?

I chose *El País* for this research project for several reasons. First, it is a successful⁷ departure from the Delia Fiallo style that has dominated Venezuelan telenovela production, but—at

6. As broadcast by UNIVISION in the United States.

7. "*El País de las Mujeres, la novela de Leonardo Padrón, puso frente a la pantalla de VENEVISION, de lunes a sábado, a las 9:00 pm, prácticamente a toda Venezuela [El País de las Mujeres, Leonardo Padrón's novel, sat almost all of Venezuela in front of their television screens, at 9:00 pm, from Monday to Saturday]*" (Lugo Conde & Correia, 2000).

the same time—it is not a "Brazilian-style" telenovela or an American soap opera. Second, it is a Venezuelan text in which several aspects of the country's reality are confronted alongside the struggle to find the meaning of "Venezuelan woman." Third, I am interested in how women are socialized into their expected roles, and how the media contribute to this process. As a Venezuelan woman I know that Venezuelan culture is still underpinned by dominant ideologies of *machismo* and *marianismo*.⁸ Venezuela is a country in which it is a national tradition and a source of nationalistic pride that Venezuelan women are frequent winners in international beauty pageants. I am interested in the overt and covert ways in which the media help establish the parameters under which the "feminine" will be defined and the potential of these parameters to objectify, oppress or empower women.

UNDERSTANDING TELENOVELAS

Telenovelas are slowly making their way into the American and European academic literature.⁹ Everett Rogers and Livia Antola first noticed how these Latin American products successfully competed with U.S. imports in 1985. Ten years later, Robert Allen (1995) edited a volume that investigates soaps around the world. Three of its chapters are dedicated to telenovelas (Lopez, 1995; Martín-Barbero, 1995; Baldwin, 1995) and Allen's introduction to the book highlights the increasing importance of the Latin American genre. In his study about soap operas in Western Europe, O'Donnell (1999) describes the success of Latin American telenovelas in Spain and Russia. In addition, he looks at telenovelas produced in Portugal and Spain, tracing their roots

8. *Machismo* is the belief that men are superior to women, have more extensive rights, and belong to the public sphere. While women should stay in man's shadow and in the private realm. *Marianismo* holds that women are morally superior, owners of spiritual strength and a capacity for self-sacrifice which renders them fit to be good mothers. The combination of these two ideologies, places women in the private sphere of the household and assigns her the brunt of parental responsibility. Latin Americans, in general, are suspicious of women in the public sphere, doubting these women's parental and spousal attributes.

9. It must be noted that there is a vast academic literature on soap operas, especially from feminist scholars and critics. However, space limitations preclude its inclusion here.

to Latin America. Matelski's book, *Soap operas worldwide*, is an ambitious survey of soaps and telenovelas worldwide (1999). Organized by regions and countries, her book includes general broadcasting information plus lists and synopses of the most successful serials.

However, the body of academic research focusing on telenovelas is still Latin American. This literature deals with three main areas. First, the search for a theoretical framework that explains how telenovelas are linked to questions of nationality, cultural identity and modernity (Fadul, 1993^a, 1993^b; González, 1993; Lopez, 1995; Lozano, 1989; Martín-Barbero, 1987, 1988, 1993, 1995; Martín-Barbero & Muñoz, 1992). Second, audience studies that attempt to understand the insertion of telenovelas into each country/culture's everyday life: Brazil (Sluyter-Beltrão, 1993; Tufte, 1993), Mexico (Bustos-Romero, 1993; González, 1993; Uribe Alvarado, 1993), Colombia (Muñoz, 1992) and Venezuela (Barrios, 1988). Third, content and textual analyses of telenovelas.

One of the most important contributions to textual studies of telenovelas is Martín-Barbero and Muñoz's matrix for the study of "*la composición textual* [the textual composition]" of telenovelas (1992). Following this model, Elizabeth Lager (1992) analyzed Venezuelan telenovela *Topacio* which was broadcast in Colombia in 1985-87. Written by Fiallo, *Topacio* is archetypal of the traditional telenovela. It includes a main couple that comes from different social classes, a baby exchange that is ignored by most characters, and a heroine who is blind and becomes pregnant. Lager concludes that the happy ending for the main couple, Topacio and Jorge Luis, represents an alliance between rich and poor which highlights the complexity of the family and socioeconomic relationships that support Latin America's social formations.

Henry Geddes-González (1993) traces Peruvian telenovelas from 1958 to 1988 analyzing how changes in the Peruvian discourse on race, class and gender, make their way into the serials and their narrative structure. María Teresa Quiroz (1993) conducted a comparative textual analysis of *Cristal* (Venezuela), *Brillante* (Brazil) and *Malahierba* (Peru). Not surprisingly, she asserts that the Venezuelan telenovela is about social advancement, which is presented as a reward for those

characters that are "good." Furthermore, Quiroz's analysis renders a picture of how the differences in these three serials are linked, in production and consumption, to each country's national reality.

In sum, Latin American telenovela research has developed independently from the American and European soap opera literature. Facing the telenovela as an enduring and successful genre, Latin American scholars attempt to understand how this cultural product relates to the different national landscapes that constitute Latin America as a region.

THEORY

The text is the symbolic dimension of the serial, the complex range of potential meanings generated by the soap or telenovela through its multiple contacts with the institutions, practices and people which we have brought it into being and through the teeming discourse which traverse it (O'Donnell, 1999, p. 19).

Communication scholars have struggled to find theoretical frameworks and methodological choices that will enable them to conduct comprehensive studies of the media, their products and audiences. Typically, communication research focuses on either media production, consumption, or on media texts. However, communication processes are cultural and, therefore, too complex to be explained by existing theories that are limited to the explanation of one aspect and cannot be generalized to include the other facets of the cultural process. Based on Richard Johnson's model for the production, circulation and consumption of cultural products (1986/87), du Gay, Hall, Janes, Mackay, and Negus (1997) developed a "circuit of culture" that provides a theoretical instrument for the study of cultural products, such as telenovelas. The model provides a blueprint for their study through the investigation of a complex and interdependent set of moments in which the meaning(s) associated with the cultural product are produced, modified and negotiated. These moments are distinct, though not discrete, and their study does not privilege any one over the others (see Figure. 1).

Representation refers to the production of meaning through language. It "connects meaning

and language to culture" (Hall, 1997, p. 15), underscoring the symbolic underpinnings of culture. Identity refers to how a particular product/object/practice acts as a social marker that identifies a particular group. In other words, how meanings create an identity. Objects are also encoded with meanings in their production process. They are produced in ways that make them meaningful. These encoding processes constitute the moment of production in the circuit of culture. But meaning is also produced when we use objects in our everyday life. Consumption looks at what the product means to those who actually use it. It involves the production of meaning through the incorporation of the product in our daily life. Finally, the circuit of culture examines the impact that a certain object has upon the regulation of cultural life (du Gay et al., 1997).

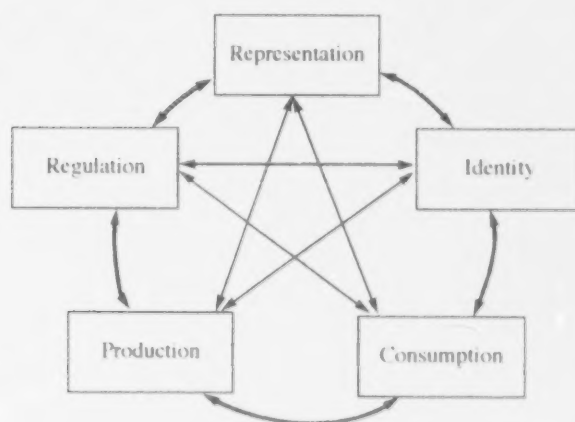


Figure 1: The Circuit of Culture
(du Gay et al., 1997, p. 1)

Telenovelas are a cultural/media phenomenon in which the articulations between the moments of the circuit are evidenced. Martín-Barbero (1987, 1993) argues that the telenovela is a site of "mediations" between production, reception and culture. There is constant negotiation

between the writers, those in charge of the mise-en-scene — producers, director, actors — the audience, and the institutions that participate in the social formation. Telenovelas provide us with a perfect example of how production and consumption, traditionally represented as opposing forces, are deeply articulated (Quiroz, 1993). This paper, part of a larger study that looks at *El País de las Mujeres* through the circuit of culture, focuses on the moment of representation, analyzing in particular, how women are represented in this Venezuelan telenovela.

Cultural studies underscore constructionist theories of representation (Hall, 1997) which hold that meaning is not inherent in cultural products. Instead it is constructed through language (Barthes, 1973; Saussure, 1974) and/or discourse (Foucault, 1980). Representation constructs meaning by connecting the world, language, and our "available stock of meanings" (Hall, 1975, p. 12). By performing these connections, representation does not reflect or frame the world, it *constitutes* the world through words and images. Central to this paper is the cultural relation between communication and gender and how it is deployed in *El País de las Mujeres*, a telenovela conceived by a man as an exploration of the concept of "woman."

METHOD

Textual analysis recognizes that meaning is a social production and, as such, is embedded in issues of power. The method is different from content analysis. The latter is interested in the recurrence of patterns in the manifest content, while the goal of textual analysis is the study of the latent content of texts through a study of their signification (van Zoonen, 1994). The object of the analysis is not the meanings of the text, but rather the construction of those meanings through the text (Lester-Massman, 1989).

Since textual analysis is an interpretive method, I believe that we need to acknowledge that while we do not know all the possible understandings (meanings) that could be derived from a particular text, we can make arguments about the kinds of meanings that *can* be in the text. This in no way should be interpreted as our attempt to "tell" people which is "the" meaning of the text. As

Dow (1996) argues, we look for the possibility of meaning in the text, not for its discovery or revelation. It should be pointed out that since the evidence is the text, the analyst should present enough textual material to persuade readers that the evidence has been thoroughly examined and convincingly interpreted (Acosta-Alzuru & Lester-Roushanzamir, 2000). The historical conditions of production and of consumption of the text must be considered in every textual analysis since they provide the ideological and mythic structure used to create the dominant reading.

ANALYSIS¹⁰

The dialogues in soaps and telenovelas are frequently criticized as being trivial and banal. However, no matter how trivial or banal they might be (and this is open to debate) they are the main door into the entire edifice of meaning constructed by the serial. There is, of course, nothing surprising about this. Discourse, by definition, saturates language even in its most trivial everyday manifestations, and the most complicated discourses can be carried by the most threadbare exchanges (O'Donnell, 1999, p. 21).

The name *El País de las Mujeres* is paradoxical since Venezuela is a country governed by men, but best known for its beautiful women. The social actors presented in this telenovela belong to the Venezuelan middle and low socioeconomic classes. Centered on its female characters, *El País* attempts to portray as many female archetypes as possible (Gómez, 1998). It also presents prototypical male characters that represent, among other things, *machismo* and its ensuing female submission. The main setting is urban: beautiful and crowded Caracas, Venezuela's capital of five million. The storylines present conflicts that are centered not around the traditional telenovela theme of social advancement, but on love, family and work. Linked by these stories, the ensemble cast of characters refuses to be easily classified as "good" or "evil." Even those characters that are obviously confronted in the plot, like Mariana and Pamela, do not follow the traditional mold. Mariana is honest, but not naive or pure. Pamela, although unscrupulous and conniving, is also in

10. A note about typographical conventions: original quotes in Spanish are in italics followed by an English translation set inside brackets. The episode number appears inside parentheses. Words emphasized by the characters are underlined in the text.

search for the love and respect she needs to overcome the grief and insecurity caused by her mother's abandonment. Although all the characters are altogether realistic, the females are portrayed by Venezuelan actresses that are physically stunning, helping perpetuate what has become both a Venezuelan stereotype and a need, i.e.: the preoccupation with physical appearance and the search for beauty (McCool, 1999).

How are women represented in this telenovela? And, how do these representations constitute Venezuelan women? As we have seen, the main female characters portray different facets/sides of women: strength (Arcadia), sensibility (Mariana), romanticism (Julia), rebelliousness (Miranda), determination (Pamela), idealism (Chiqui) and resignation (Catalina). Through the dialogue, women are constructed following the mandates of a culture that is still male dominated. As we will see, most of these constructions are negative in themselves. They are usually voiced by the male characters that do not have a happy ending: Arsenio (dies murdered), Lucas (loses his marriage and Almendra) and Rodolfo (loses Mariana and his status as famous plastic surgeon). In general, the storylines reverse these negative representations by ridiculing them (and the characters that voice them), providing, in this way, a vehicle of empowerment for Venezuelan women.

Objects

Arsenio leaves Arcadia and his marriage of 22 years for a young woman, a former prostitute who he simply calls "*el hembrón*," a Venezuelan expression used by men to describe a beautiful woman with a perfect body. By referring to her as "*el hembrón*," Arsenio demeans this woman by reducing her to a body. When he introduces her to his partner, Rodolfo, Arsenio assures him: "*Ella ni ve, ni oye, ni habla, ella solo hace!*" [She doesn't see, she doesn't hear, she doesn't talk, she only makes!]" (36). Furthermore, when Rodolfo respectfully calls her "*señorita* [Miss]", Arsenio replies that she is not a "*señorita*" but his "*hembrón*," a trophy that deserves no respect, one that enhances his masculinity: "*yo soy mas hombre que tu, tengo mas real y tengo un hembrón sentado allá* [I am more a man than you are, I have more money, and I have my *hembrón* sitting there]" (37). She

is his possession, he owns her body, and her sole function is to be his sexual toy: "*en esta cama tú justificas tu lugar en este planeta* [in this bed you justify your place in this planet]" (40).

Closely related to the representation of women as sexual objects is that of women as food. Venezuelans typically use words like "*sabroso* [scrumptious]," "*divino* [divine]" and "*delicioso* [delicious]" both in relation to food and to enjoyable experiences. In *El País*, some of the male characters refer to women with these words. Furthermore, there are direct comparisons between women and food, especially when men refer to Almendra, whose name literally means Almond. One of her friends calls her "*mi frutica* [my fruit]." But it is Lucas who invariably objectifies her as (delicious) food to be consumed. "*Yo me la quería comer con mantequilla y todo, como una cotufita* [I wanted to eat her with butter and everything, like popcorn]" (39), "*eso está mas sabroso que comer con los dedos...tú no sabes lo que es andar con una mujer que tenga todo en su sitio, como Dios manda...eso si es un hembrón!* [she is more scrumptious than eating with your hands...you don't know what it is to go out with a woman that has everything in its place, like God intended...she is a real *hembrón!*]" (93). He goes on to describe Almendra as good quality beef: "*eso es carne fresca...tierna, tierna, tierna* [she is fresh meat...tender, tender, tender.]" (54). When Lucas is confronted by one of his friends about his continuous infidelities, he equates his lovers with spicy food by saying that, once in a while, it is good to eat some spicy food for a change, when you have everyday access to "*el dulce* [sweets]" referring to his wife.

In sum, women are objectified as sexual toys to be possessed and food to be consumed. In both cases, the emphasis is on their physical attributes and the pleasure men derive from them. Women, then, are denied any agency in the conduction of their own lives, and in the choices they make.

In need of domestication

Because women are reduced to objects, any thinking of their own and any agency expressed are seen as a deviation that must be corrected. In this sense, some of the male characters refer to

women as wild animals in need of domestication. Echoing a popular Venezuelan expression, women are repeatedly called "*cuaimas* [poisonous serpents]."¹¹ Rodolfo, Lucas and Arsenio typically refer to women as mares who need to be tamed since some of them "*todavía corcovea* [still buck]." According to these men, women need to be domesticated. This domestication has a double sense: they need to be tamed and they need to be in the domestic environment. "*La voy a poner derecha* ... *y va a hacer lo que yo diga...que es cuando vamos a ser felices* [I'm going to straighten her out...and she's going to do what I say...and then, we will be happy]," explains Rodolfo to Fabian, in a conversation about Mariana (32). Doing what he says, of course, means that Mariana must quit school and her job in order to be a homemaker "*como debe ser* [the way it should be]."

The domestication of women can be achieved by any means necessary, even domestic abuse is appropriate if deemed required. After all, women belong to their men, and they can do with them whatever they want:

Lucas: *esa ama de casa resulta que es la mujer de papaito, o sea yo....me gusta que lo entiendas porque si a mí me da la gana de caerle no solo a golpes si no a batazos a mi mujer, nadie se tiene que meter, tu me entiendes?* [that homemaker happens to be my woman, and she's mine...I want you to understand it because if I want to beat her up, not only with my fists but with a baseball bat, nobody has to interfere, do you understand?] (54)

.....

Lucas: *a las mujeres hay que tratarlas a los trancazos para que anden derechitas* [you need to abuse women so they are straightened out].

Jacobo: *y así trata usted a la suya?* [and do you treat yours like that?]

Lucas: *mmm...la tengo mansiita! Catalina, la sopa...Catalina, las medias azules. Callese la boca, Catalina y sirvame la comida!* [mmm...I have her tamed! Catalina, the soup...Catalina, the blue socks. Shut up, Catalina, and bring me my meal! (36)

Servants

Because they belong in the domestic environment, women should be homemakers in charge

11. In Spanish the term serpent (and all its variations) is feminine, "*la serpiente*," "*la culebra*." "*Cuaima*" is a type of Venezuelan poisonous serpent. Referring to women as "*cuaimas*" is widespread among the male population. When *El País* was broadcast in Venezuela, many people referred to it as "*El País de las Cuaimas*."

of domestic chores. In this way, the definition of a good wife is tied to her performance as a homemaker: "*lógico me suena que usted se quede aquí y cuando yo vuelva usted me haya preparado algo rico y pueda decir que estoy casado con la mejor esposa del mundo* [you should stay home so when I come back, you have something delicious cooked for me, so I can say that I'm married to the best wife in the world] (54).

This view is also expressed by Diego's mother, Josefina, who comes to Caracas to stay with her son and finds, to her horror, that non-conventional Miranda lives with him and that she works as a bartender. Josefina inspects her son's apartment and finds that neither the cleaning, nor the meals are up to her high standards. She blames Miranda for this, squarely stating that it is a woman's job to keep a perfect home.

Diego: *mamá, mira, Miranda y yo trabajamos en la calle y tu no pretenderás que cuando los dos llegamos a la casa cansados después de trabajar en la calle, llegemos aquí a sacarle brillo a los pomos de las puertas.* [Mom, look, Miranda and I work and you can't expect us to come home tired from our jobs to polish the doorknobs.]

Josefina: *no, ustedes no, ella sí! Sí, porque ella es la mujer, ella es la que te tiene que atender a tí. Ella sabe cocinar?* [No, not both of you, her! Because she is the woman, she is the one that has to attend to your needs. Does she know how to cook?] (124)

Miranda makes it clear that she is Diego's partner, not his maid. To no avail, Diego tries to explain to his mother that he loves Miranda for who she is, not because she can be his servant. But Josefina readily dismisses him and his view: "*Eso lo dices tú de los dientes para afuera. Ahora hay un bojote de hombres que se las quieren echar de modernos, pero en el fondo lo que les gusta es tener una mujercita que les sirva su comidita, que los atienda, que los consienta.* [You don't mean that. Nowadays, there's a bunch of men pretending to be modern, but deep down, they also like to have a little woman who will fix their meals, attend their wishes and pamper them]" (127).

Because Josefina is a nagging, old-fashioned mother-in-law, a humorous character who seems out-of-date, her views also seem obsolete. There is an element of pride, however, in Josefina's view about house work. But this aspect is absent in the male characters' view of domestic chores, which are expected from women, but dismissed as "not a real job." Lucas, who expects Catalina to

be his brainless servant constantly diminishes her and what she does:

Catalina: *pero, mi amor, yo tambien estoy cansada.* [but, honey, I'm also tired].

Lucas: *cansada de qué? de qué? tu me vas a decir, Catalina, que las tres o cuatro cositas que tú haces aquí en esta casa...tú lo vas a comparar con mi trabajo en la calle? oh, no, no, no....por favor!* [tired of what? of what? Catalina, are you going to compare the three or four little things that you do here at home...are you going to compare them to my job in the streets? oh, no, no, no...please!] (7)

When Catalina finally separates from Lucas and starts looking for a job, she faces this dominant view as she is disregarded by employers who claim she has no experience, and that she is someone "que no sabe hacer nada [who doesn't know how to do anything]." Hurt, after her futile job search, she blurts to a man who is interviewing her:

Catalina: *tanto como no saber hacer nada, no. Yo sé hacer muchas cosas, si quiere le digo...yo sé levantarme todos los días en la madrugada para llevar mis hijos a la escuela. Sé que no puede faltar cebolla y cuando se acaba el azúcar y que hay que pagar el telefono...si quiere numeritos tambien se los doy: por lo menos unas 18 mil camisas planchadas, unos 200 mil pisos coleteados, unas 5 mil loncheras hechas y no menos de unos tres millones de platos fregados rigurosamente cada día de mi vida...quién sabe cuantos asados negros y...aunque le parezca una locura, yo sé ser una mujer responsable que yo creo que es lo mas importante en un trabajo. Pero, por lo visto, a usted no le interesa...y permiso, yo me voy porque tengo que ir a buscar a mi hijo a la escuela.* [It's not that I don't know how to do anything, no. I know how to do many things, I can tell you...I know how to wake up every day at dawn to take my children to school. I know that we always need onions in the house and when we run out of sugar, and that we need to pay the phone bill...If you want numbers, here they are: at least 18 thousand ironed shirts, 200 thousand mopped floors, five thousand lunchboxes, and at least three million dishes rigorously washed every day of my life...and who knows how many pot roasts, and...you might think this is unbelievable, but I know how to be responsible, which I think is the most important quality for any job. But, of course, you don't care...excuse me, then, but I must pick up my son at his school] (53)

Since domestic chores are not as important as what men do, some of the male characters continuously refer to women as inferior and anti-intellectual. They dismiss women's conversations as filled with "*estupideces* [stupid topics]" and call them "*brutas* [dumb]."

In sum, Lucas, Rodolfo and Arsenio represent the views that are underpinned by Latin American *machismo*. Women are not as intelligent as men, and they belong in the domestic sphere where they should be homemakers, which is not a real job.

For her part, Pamela believes that women should acquiesce to this view and pretend to be moronic in front of men. When Mariana is in a small wreck in front of the newspaper where she

and Camilo work, Pamela advises her to allow Camilo to solve the problem: "*eso es un trabajo de hombres, los hombres resuelven esos problemas. A tí no te han enseñado que lo mas inteligente que puede hacer una mujer es parecer bruta? Ah? déjalo que Camilo lo resuelve!*" [that is a man's job, men solve those problems. Haven't you been taught that the smartest thing a woman can do is to pretend to be dumb? Ah? Let Camilo solve it!]" (24).

At the same time, however, *El País* has other male characters who value women as partners in both the public and private sphere, and women who love these men, precisely because of the respect they show them. More importantly, Catalina, the female character that best represents the feminine submission that invariably accompanies *machismo*, rebels and changes her life until she finds her own voice and a new love (Jacobo) that values her for who she is, not for what she can do for him.

Women and Physical Attributes

In a recent Roper poll, Venezuelans topped a list of 30 countries as the people most preoccupied with their physical appearance (McCool, 1999). In Venezuela, the broadcast of the Miss Venezuela beauty pageant is similar to the Super Bowl with high ratings and expensive ads. Even coffee table books featuring the country's stunning beaches, mountains and jungles, now include photos of the pageant and its contestants, making Venezuelan women an official part of the country's landscape. Plastic surgery is common for both genders, and the culture's sense of elegance is not devoid of sex appeal elements.

In *El País de las Mujeres* most female characters are portrayed by beautiful and sexy actresses. Some of them are alumni of the Miss Venezuela pageant.¹² More importantly, the topic of women and their physical attributes is tackled directly in the telenovela, especially in the case of Rodolfo (the plastic surgeon) and Pamela, who admits being addicted to all beautifying procedures.

12. This is common, participants in the pageant usually end up either as models or as telenovela actresses.

Women go to Rodolfo's office in search of the physical perfection they believe will help them get and/or hold on to men. For instance, on the first episode, a woman enters Rodolfo's office and introduces herself:

Woman: *Altagracia López, nacida en Caracas, abogada, 41 años de edad, dos hijos y con un marido imbécil que anda babeado detras de una estúpida morena que tiene dos pechos mas grandes que unas pelotas de futbol.* [Altagracia López, born in Caracas, attorney, 41 years old, two children with an imbecile husband that is ga-ga for a stupid brunette whose breasts are bigger than soccer balls.]

Rodolfo: *y qué quiere de mi?* [and what do you want from me?]

Woman: (undressing) *míreme, usted qué cree, ah?* [look at me, what do you think, ah?]

Rodolfo: (walking around her and looking at her body with studious attitude) *Un buen tratamiento para diluir la grasa. Quizás algo de terapia celular para regenerar los tejidos, liposucción en las zonas mas severas, corrección de la papada, un peeling glicólico y, ...por qué no? dos buenas dosis de silicona en sus senos...y estamos listos para destruir a esa morena imbécil que tiene un poco distraído a su marido.* [A good treatment to dissolve the fat. Maybe some cell therapy to regenerate the tissues, liposuction in the zones most in need, correction of the double-chin, a glycolic peeling, and... why not? Two good doses of sylicon in your breasts...and we will be ready to destroy that stupid brunette that has your husband somewhat distracted.] (1)

Rodolfo, like many Venezuelan plastic surgeons, has a successful career thanks to the women that endlessly parade through his office in search for a new nose, mouth, breasts, thighs, or buttocks.

For Pamela, her physical appearance is of paramount importance. What she lacks in talent, she tries to compensate with her perfect face and body, which she displays shamelessly by using tight, revealing clothes. She gets the role of weather person by undressing on live television while delivering the forecast. Wherever she goes, men around her whistle and compliment her constantly. Rodolfo, proudly, calls her his masterwork since she is an assiduous visitor to his office, asking him to inject with collagen "*esta arruguita que me está saliendo* [this small wrinkle that I'm getting]", or to give her a deep peeling.

Pamela's obsession with her body is such that when she realizes that Camilo does not love her, she has an emotional conversation with her agent in which she ponders why Camilo does not love her.

Pamela: *Camilo no me quiere. Mira, Raymond, todos los hombres de este país se mueren por mí, pero él no me quiere y yo no sé...yo no sé qué mas puedo hacer.* [Camilo doesn't love me. Listen to me, Raymond, all the men in this country love me, but he doesn't. And I don't know...I don't know what else to do.

.....

Pamela: (she opens her robe and shows him her body) *mírame, tú que eres mi amigo, mírame que...por qué no? qué no tengo? qué me falta? qué me opero? qué mas me hago para que Camilo me quiera?* [look at me, you who are my friend, look at me... why not? what is it that I don't have? what am I missing? what other surgery should I have? what else should I do so that Camilo loves me? (73).

Like many Venezuelan women, Pamela bases all aspects of her life on her physical beauty.

According to the plot, her beauty is sufficient to achieve fame in the entertainment world (she makes it to Hollywood), but is not enough to find love.

This emphasis on physical appearance (in addition to the construction of women as possessions) is consequential to the treatment of older women, who are seen as useless and dull. For instance, Arsenio gives Arcadia the following reasons for leaving her:

Arsenio: *que por qué me fuí con otra mujer? Porque estaba harto, Arcadia. Harto no! aburrido, eso es! aburrido! Porque me aburría tu cara, porque la vida se me estaba convirtiendo en un bostezo...siempre los mismos comentarios, siempre la misma comida, y haciendo el amor durante 25 años de la misma forma, no! no! demasiado tiempo! Y con un extra ...que estás acabadita, que estás arrugada, que estás vieja!* [why did I leave you for another woman? Because I was sick of you, Arcadia. No, not sick, but bored, that is, bored! Because your face bored me, because life had become a yawn...always the same comments, the same food and making love the same way for 25 years, no! no! too long! And with an added bonus...that you're done, that you're wrinkled, that you're old!] (20)

This view is similar to that expressed in Venezuela's humorous television shows¹³ in which older women are the butt of jokes that contrast them with their younger counterparts, stressing that, because of their age, they cannot compete for men's affections anymore. The dominant view is that as women age they become ugly, boring and worthless. As Lucas tells Catalina, "*acuérdate mañana de darte un cheque para que vayas al medico...a las mujeres de tu edad se le suministra hormonas...sabias?* [tomorrow remind me to give you a check so you can go to the doctor...did

13. *Bienvenidos* and *Radio Rochela* are some of these shows.

you know that they give hormones to women your age?](44).

Female characters are acutely aware of this perspective. They continuously voice their opinions regarding the injustice of a society in which men do not age, but women do. In a paradoxical twist of the plot, Arcadia, scorned by her former husband because of her age, marries a man 15 years younger than her. Catalina, also ridiculed for her age, also remarries and has a baby. Furthermore, the love stories of Arcadia/Daniel and Catalina/Jacobo include lovemaking scenes as sexy and tender as those of the younger couples.

Motherhood

Even though *El País* presents a set of themes that are uncommon in the traditional telenovela, motherhood is still central to the plot. With the exception of Arcadia's sister—Natalia—who abandoned her daughters when they were young girls, all the women are good mothers. But, even Natalia redeems herself by killing Arsenio, the most villainous character in the serial. Some of the stories explore the tough choices that working mothers must make on a daily basis while other storylines look at the relationship between parenthood and marriage. For instance, in the triangle Julia/Fabian/Sandra, the latter—a career woman who has never been interested in being a mother—decides to get pregnant in order to save her marriage since Julia is already expecting Fabian's child. However, she has fertility problems and ends up conceiving three children because she had to use an assisted fertility method. At this point, her boss offers her the career opportunity of a lifetime: move to Japan to be in charge of their most important client. Sandra wrestles with her mixed feelings about her pregnancy and has the following exchange with her husband:

Fabian: te salió un viaje de negocios? [do you have a business trip?]

Sandra: *no, no es un viaje de negocios, es el viaje de negocios, Fabian, son los benditos japoneses con los que yo he trabajado con toda mi paciencia, me quieren a mí porque confían en mí. Es Japón, Fabian, es mi despegue absoluto en el banco, es mi camino directo a la directiva, no es cualquier cosa, es mi ascenso, es todo* [no, it isn't simply a business trip, it is the business trip, Fabian. It's the Japanese with whom I've been patiently working, they want me because they

trust me. It's Japan, Fabian, it's my absolute career launch pad in the bank, it's my direct way to the board of directors, it's my promotion, it's everything!]

Fabian: *y... la barriga te molesta?* [and...the pregnancy bothers you?]

Sandra: *ah! no, Fabian, o sea que tú me quieres decir que tú me vas a acompañar a mí a todos los viajes, tú vas a andar de hotel en hotel, cambiando pañales, dando teteros mientras que yo...estoy entrevistandome con los japoneses?* [ah! no, Fabian, are you telling me that you will come with me to this trip, that you will be from hotel to hotel, changing diapers, feeding bottles while I...I am talking to the Japanese?]

Fabian: *podría ser, podría ser, Sandra.* [it could be, it could be, Sandra].

Sandra: *y las nauseas? qué hago yo con las nauseas? con los malestares? con los antojos? con el parto, con el postparto? qué hago yo con eso, Fabian?* [and the morning sickness? What do I do with the morning sickness? And not feeling well? And the cravings? And the delivery, and after that? What should I do with all that, Fabian?]

Fabian: *qué quieres que haga?* [what do you want me to do?]

Sandra: *no, yo no quiero que tú hagas nada! No hagas nada! Déjame tener rabia! No puedo tener rabia contra las mujeres porque somos unas ridículas, chico? Unas ridículas que estamos dispuestas a hacer un sacrificio en vano, en vano para no perder a un hombre! Qué ridículas somos y qué patéticas somos!* [no, I don't want you to do anything! Don't do anything! Let me be angry! Can't I be angry with us, women, because we're so ridiculous? We're so ridiculous that we're willing to sacrifice ourselves in order to keep a man! How ridiculous, how pathetic we are!]

Fabian: *tú eres una mujer demasiado inteligente para estar pensando que un matrimonio se salva por una barriga. Y mira a mí esto me parece tristísimo, que después de tanto sacrificio para conseguir unos niños, tú estes renegando de ellos por un negocio con unos señores japoneses! Cuando tú estés calmada me vas a buscar con la voz baja y consciente, cuerda, y me vas a decir cual es la verdad de esta relación!* [you're an intelligent woman, you can't be thinking that a pregnancy can save a marriage. This seems very sad to me. That after all the sacrifices we made to conceive these children, you are denying them because of a business deal with these Japanese! When you've calmed down, find me and with a lower voice, you're going to tell me what is the truth of our relationship! (131)]

At this point of the story, Sandra could have had an abortion. However, she decides otherwise, and ends up leaving Fabian and being a working mother in Japan with the help of three nannies who take care of her babies. Her nemesis, Julia, also struggles with the decision to end her pregnancy. For romantic Julia, having the child of a married man is almost unbearable. Again, she decides against abortion, and goes on to have her child with the support and help of her aunt and cousins who keep reminding her that Venezuela is a country "*repleto de mujeres solas criando a*

sus hijos [filled with single women raising their children]" (102).¹⁴

In *El País* being a mother is fundamental to being a woman and an essential ingredient of happiness. Arcadia's happy ending is linked to her and Daniel's decision to adopt a child. Ironically, Catalina, who survives an abusive relationship and breaks with her confinement into the domestic sphere, ends up having another baby with her new husband, also a key element of her happy ending. After 162 episodes, even Camilo and Mariana whose relationship is so intertwined with their careers, end up expecting a baby too. Motherhood is so central to the definition of women constructed in *El País* that its final scene is not the traditional passionate kiss of the main couple with a beautiful background as the words "*Fin* [The End]" appear in the screen. It is—instead—Camilo, tenderly kneeling in front of a very pregnant Mariana, kissing her womb.

CONCLUSIONS

The research reported in this paper is part of a larger study that investigates *El País* through the circuit of culture. Semi-structured individual interviews with the *telenovela*'s producers, writers, director, actors and actresses will be conducted in order to study the production aspects of *El País* and their impact on the regulation of cultural life. Some of the topics that will be addressed in these interviews are: the writers' rationale for including certain characters and themes in the stories, and the director's, actresses' and actors' decisions regarding the portrayal of these characters and themes. Group and individual interviews will also be conducted with Venezuelan viewers in order to understand how they related to the characters, stories and themes presented in the *telenovela*. Mixing individual and group interviews will afford my research both the depth provided by individual interviews, and the breadth supplied by group interaction.

El País de las Mujeres breaks with the traditional *telenovela* mold in several important ways. First, *El País* is set in current Venezuelan reality. Political corruption, the media as watchdog, the

14. In Venezuela, a catholic country, abortion is illegal.

intermittent—but consistent—way in which basic services like water and electricity fail the inhabitants of Caracas, and the effects of hyperinflation are some of the elements of Venezuelan reality present in *El País*. Second, instead of centering on one love story, *El País* presents an ensemble cast¹⁵ and an array of storylines and couples. Third, the characters are not unidimensional; therefore, they seem more realistic than those of the traditional telenovela. Fourth, only one of the love stories is between two people with different socioeconomic background (Salvador/Almendra).

Notwithstanding these breaks with the traditional model, *El País* is still a telenovela characterized by its melodramatic features and by a search for love and happiness that is paramount to its plot. In addition, the storylines present classic triangles and double triangles, and the "ignorance of an identity" plays a crucial role in the plot.

El País ridicules the objectification of women and other negative representations by depicting the characters that hold these views as caricatures, and by presenting clever twists of the plot that underscore the unfairness of these attitudes. Throughout the serial, women struggle with and resist the dominant view that women are defined by men. This is best exemplified in a monologue by actress Mimí Lazo who makes a cameo appearance as herself. In her dressing room, in front of the mirror and wearing only her underwear, she ponders:

Mimí: *a veces las mujeres somos tan ridiculas. Nos peleamos por los hombres como si nos peleamos por el oxígeno. Cuando no lloramos por ellos, hablamos mal de ellos. Ay, Dios mío! Si pudiéramos darnos cuenta de que hay cosas mas importantes que los hombres...pero hasta que no nos demos cuenta, vamos a seguir diciendo que somos el país de las mujeres solas...* [sometimes we, women, are so ridiculous. We fight each other for men, as if we were fighting for oxygen. When we are not crying for them, we're criticizing them. My God! If we could only realize that there are more important things than men...but until we do, we will still be a country of women who are alone...]

There are some basic contradictions in *El País*. Although the characters and their stories portray women facing domestic abuse, infidelity, sexual harassment, the strains of career, marriage and motherhood, it continuously mocks feminists as "*salvajes* [wild]," "*irracionales* [irrational]"

15. *El País* gathered some Venezuela's best (and most beloved) telenovela actors.

(7) and "cuaimas" (15), never giving feminism any credit for denouncing what *El País* attempts to showcase: a male dominated society. This is a reflection of how most Venezuelans perceive feminism: as a hostile discourse that rejects and condemns men. In addition, while the national obsession with beauty and plastic surgery is also ridiculed, the choice of beautiful, sexy actresses to portray the characters works against the empowering message of the telenovela since the audience (male and female) encounters nightly on their television screens these role models that look and dress like models. While *El País* directly confronts the ideology of *machismo*, it condemns feminism and condones *marianismo* by representing motherhood as an essential ingredient of womanhood.

These ambivalences are not unique to *El País*. Christine Geraghty (1991) studied six prime time soap operas from the U.S. and the U.K., and concluded that the representation of women in soap operas is problematic because it is inherently ambivalent — non-essentialist and essentialist at the same time.

At one level, soaps do not treat women homogeneously; they present different aspects of female experience in a way which allows the woman viewer to identify with the emotional dilemmas of female characters who are rarely all good or all bad, but who struggle with the demands of their families and communities and with their own high expectations of the value of personal relationships. On the other hand, prime time soaps, like their daytime counterparts, do present a version of a universal 'female condition' which cuts across age, race and class and allows women to recognise each other across the barriers. It is this essentialism which is both a source of pleasure and a problem in soaps (p. 196).

Notwithstanding these contradictions and given the traditional role assigned to women in Venezuela's social formation, I believe that *El País de las Mujeres* has important empowering elements that should make an impact on Venezuelan society.

Perhaps the best summary of this telenovela and its intentions is given by its author in the voiceover that accompanies the final set of scenes that culminates with Camilo on his knees kissing Mariana's womb:

Y así ocurrió la vida de nuestros personajes en un país lleno de mujeres hermosas, genuinas y valientes que aprendieron, cada una en su momento, el coraje de ser ellas mismas y de pelear por el tejido de sus sueños.

Mujeres maravillosas, complejas y terribles. Amorosas, fuertes, luchando a brazo partido por el difícil equipaje de su propia felicidad.

Mujeres y sus hombres, emblemáticos o posibles, descubriendo el huracán de su feminidad.

Mujeres que asumieron que el amor o la soledad, el éxito o el fracaso, la maternidad o el hastío, son páginas necesarias del libreto impredecible que es la vida.

Esta historia intentó ser un homenaje al don poético de ser mujer.

Cada una como protagonista de su propia historia, cada una descubriendo su catálogo de miserias y virtudes y decidiendo, para siempre, que nadie podrá reducirlas al silencio.

Muchos terminaron llamando a ese mítico lugar... El País de las Mujeres.

[And this is how the life of our characters occurred in a country filled with beautiful, genuine and courageous women, who learned, each one at their own pace, the courage to be themselves and to fight for the fabric of their dreams.

Wonderful, complex and terrible women. Loving, strong, fighting tooth and nail for the difficult baggage of their happiness.

Women with their men, emblematic or possible, discovering the hurricane that is their femininity.

Women who assumed that love or solitude, success or failure, motherhood or fatigue, are necessary pages in the unpredictable script that constitutes life.

This story intended to pay homage to the poetic gift of being a woman.

Each one as the star of her own story, each one discovering her own catalog of miseries and virtues, and deciding, forever, that nobody will reduce them to silence.

Many ended up calling this mythical place...*El País de las Mujeres*] (162).

Hopefully, *El País de las Mujeres*, will contribute to the transformation of this mythical place into a reality for Venezuelan women and men.

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**Politics, the Emergence of Entertainment Journalism,
and the Battle for Headlines:
President Clinton
and the 1994-1995 Baseball Strike**

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Abstract:

The capacity to inject ideology into sports-related content is explored, utilizing Presidential involvement with the 1994-1995 Major League Baseball strike. It is argued that entertainment-based media content may be perceived as culturally neutral by some citizens, but several factors may serve to intensify the impact of these messages. Presidential participation in the 1994-1995 baseball strike appeared to be a policy failure, but upon closer inspection, several public relations successes were achieved that may have benefitted President William Clinton. The emergence of a more entertainment-driven media compels presidents to compete for positive media access in ways that were not necessary a decade ago. In this environment rapidly understood cultural cues may become increasingly useful to future leaders, in a manner already adopted by "superbrands," making use of popular entertainment institutions a powerful, yet potentially dangerous, political instrument.

In *Power Plays, Power Works*, John Fiske compellingly argues that "sport always exposes the limits of officialdom."¹ Although sport does have the capacity to undermine or challenge the existing power structure, Fiske generally underestimates the capacity for elites to utilize sport for purposes that reinforce the powers of officialdom. Recent successes of professional sports teams in obtaining heavy taxpayer subsidies for new stadium construction, despite severely limited urban resources, reflects one cogent example of officialdom controlling public policy through sport. With the emergence of the luxury skybox as a symbol of power within the political and business community, Frank Deford states that "stadiums have become, in effect, incidental attachments to royal suites."² In short, the most powerful individuals in many communities have used sport as a visible symbol of their capacity to control broadly treasured cultural institutions.

Sociologist Harry Edwards has vigorously argued that sport is a powerful vehicle for perpetuation of the existing power structure, giving false hopes to minority youth in the form of professional athletics, while creating an incentive structure that steers many otherwise intelligent youngsters away from pursuit of more realistic and socially beneficial career goals.³ Despite the modest success of legislation such as Title IX, an equally compelling case can be made for the capacity of sport to perpetuate gender inequities as well.

But Edwards does believe that Fiske's interpretation of sport has potential credibility if traditionally marginalized individuals collectively react to prevent manipulation at the hands of the elites who control political and cultural institutions. In the 1960s Edwards pondered the emerging political power of previously marginalized athletes, arguing that "candidates for political offices at the local and national levels in both major political parties worked vigorously in 1968 to secure the endorsement and active support of black athletes."⁴ In *The Revolt of the Black Athlete*, written during the turbulent 1960s, Edwards cautiously and skeptically argued that "on paper, at any rate, the sports industry has both the capacity and avows the ethical principles [to] lead the way to better relations among all black and white Americans through the establishment of true equality, opportunity, and justice."⁵

More recent evidence suggests that the influence of the sports industry to inspire positive and more inclusive public policy is significantly constrained on a variety of fronts. The power of sporting institutions has been challenged by public distaste for athletic labor unrest, high-profile legal action involving athletes, ex-athletes, and even franchise owners, stadium subsidies, as well as the emergence of an entertainment economy that has blurred the distinction between professional sports and orchestrated athletic entertainment such as professional wrestling. The political emergence of ex-professional wrestler Jesse Ventura, recently elected as Minnesota's governor, presents a clear contrast to the dismal presidential primary performance of former NBA star and ex-New Jersey Senator Bill Bradley. Despite the enthusiastic endorsement of many within the sporting fraternity, Bradley was unable to win a single state and quietly withdrew from the presidential race hours after disclosure of Super Tuesday's primary results. Of significance was the ineffectiveness of support for Bradley from many athletes, including commercial icon Michael Jordan, an ex-athlete with an impressive prior record of product-related endorsements.⁶

To suggest that politicians should steer clear of sports is a vast oversimplification that is potentially unwise, however. President William Clinton's failed effort to resolve the 1994-1995 baseball strike marks a recent attempt to aggressively plunge into the realm of sports policy, and on the surface, might be regarded as further evidence that political efforts to blend sport and politics are destined to fail in contemporary America. Nevertheless, this conclusion would be a vast oversimplification. Clinton's involvement in the baseball strike served to enhance his image

with the public while offering him a needed rhetorical platform at a time when his ability to garner positive news coverage was challenged by a variety of competing political and non-political news stories

In 1994 entertainment values were encroaching on newsroom values with unprecedented velocity, forcing political advisers to reexamine the tried and true policies of previous presidential administrations. President Clinton's involvement with Major League Baseball served as a cogent example of how involvement with sports-related policy can serve to humanize a president, while moving him back to page one on the news agenda. Despite Clinton's inability to resolve the baseball strike, his involvement in this issue was an overall public relations success that helped to positively leverage his tenuous position with the public against substantial inroads made by Republican leadership in the halls of Congress.

This essay attempts to demonstrate that even when sport "exposes the limits of officialdom," as Fiske would suggest, it can also serve to further the goals of officialdom in ways that may not be perceived or even understood by the public. It is the elusive nature of hegemony that allows for challenge of Fiske's assertion. According to John Hargreaves, "the theory of hegemony... places sport... firmly in the context of struggles between classes and groups, but in a manner that allows for compromises between them, as well as straightforward domination."⁷ Raymond Williams defines hegemony as "not only the conscious system of ideas and beliefs, but the whole lived process as practically organized by specific and dominant meanings and values."⁸

In the past, Presidential pronouncements could be interpreted as uniformly in synch with hegemonic discourse, but in recent years, an embattled Presidency has been forced to utilize a variety of strategies to maintain effectiveness. As Presidential leadership faces erosion of power due to an increasingly international mercantile economy, intractable partisan political battles, and a public that has been cultivated to accept entertainment as a form of cultural currency, it is likely that cultural issues will become an ideological indicator of increasing relevance. Some cultural issues, such as gun control or abortion, will have clear political ramifications, but others, such as sports-related policy will sneak ideological baggage past an unengaged public through a back-door approach. Although Clinton's involvement in the baseball labor dispute may be largely forgotten today after a series of high-publicity scandals have permeated White House politics, it is an interesting case study that showcases his dexterity with cultural issues. His facile handling of the baseball dispute may provide some previously unexamined evidence of how Clinton has utilized the media to maintain a positive public posture.

Clinton's attempt to bring Major League Baseball's labor and management together was a clear failure in resolving baseball's labor lockout, but his involvement in this issue served to incrementally boost public acceptance for his administration at a time when his public opinion ratings were at a low point and his administration was vigorously challenged by conservative forces for ineffectiveness. Of equal importance was Clinton's ability to make appeals for acceptance of an egalitarian ideology, at a time when recently elected Republican-controlled Congressional leaders were attempting to wrest power from the White House with an approach that was more centered on a culture of confrontation.

Because issues such as the baseball strike are often regarded as comparatively unimportant, the public relations value of populist appeals of this nature can often be overlooked by adherents of traditional political analysis, particularly in cases of superficial failure. This essay argues that Clinton's attempt to mediate the 1994-1995 baseball lockout was a carefully calculated political endeavor that served a variety of beneficial political purposes for the White

House. It is further argued that effective future political leadership will require a type of cultural dexterity that allows leaders to capitalize on media privileging of entertainment values. While this may not be a positive step for the future of democracy, it must be recognized by media scholars if we are to better analyze a rapidly changing media landscape.

Sports, Politics, and the Presidency: An Overview-

David Maraniss' recent shift from award-winning Presidential historian to biographer of legendary professional football coach Vince Lombardi provides a superficial indicator that the gulf between sports and politics is less dramatic than might be realized by casual analysis.⁹ The interconnection of politics, athletics, and the White House may seem far-fetched to some, but presidential involvement with organized sports can be traced to the 19th century, with baseball historians Mead and Dickson suggesting that these roots trace back to America's 18th century.¹⁰

Since the Progressive Era, media and sports have been inexorably linked, in part because of the commercial potential of athletic competition. Baseball's Progressive Era marketers sold their product through careful alignment with cultural values that were perceived as positive by the bulk of the American citizenry. The emergence of the penny press gave team owners a platform to convey their ideology on a daily basis. Although early professional baseball players were frequently carousing ruffians, the public was encouraged to believe that these athletic heroes were gentlemanly representatives of a civil culture.¹¹

During this era, Theodore Roosevelt became the first American President to publicly intervene in sports-related policy. In 1905, he orchestrated a meeting with leaders of Harvard, Yale, and Princeton, the leading collegiate football powers of the time, in a widely publicized effort to "save football" from excessive violence.¹² His involvement in this issue received nationwide front page newspaper coverage, and on a practical level, the meeting subsequently resulted in creation of an oversight agency that was a forerunner to the National Collegiate Athletic Administration (NCAA), the organization currently in charge of regulating sports activity at most colleges and universities in America today. As with many sports-related reforms, Roosevelt's intervention was a bureaucratic and symbolic triumph rather than a practical success. Football related deaths declined slightly after Roosevelt took action, but moved upward three years later.¹³

After Theodore Roosevelt's involvement with college football, presidential involvement with sport was largely symbolic and generally unimpressive. William Howard Taft threw out first pitches as a fan at several major league baseball games, possibly influenced by his brother, part owner of the Chicago Cubs franchise.¹⁴ Woodrow Wilson did not step in to cancel baseball during World War I, while Franklin Delano Roosevelt actively encouraged the continuation of baseball during World War II. John F. Kennedy devoted federal resources to participatory sports, creating the President's Council on Physical Fitness, but remained generally aloof regarding professional sports. Nixon, a rabid sports fan, initiated Presidential phone calls to locker rooms after Super Bowl victories, a trend continued by Ford, Carter, Reagan, and Bush. As far as policy, however, Presidents probably determined that sport was of marginal importance to their total policy agenda, something that could be left to league officials, team owners, and community-level politicians. Although Presidents have not pushed directly for sports-related legislation, some have signed broadcast legislation that has impacted the sports landscape in significant ways.¹⁵ The lack of direct policy involvement by Presidents does not mean that sports itself is not an important part of the cultural landscape of America, nor does it mean that profound linkages between sport and

the political arena can not be made

In *Homo Ludens*, a classic study of leisure and society, Johan Huizinga connects politics to play, suggesting that the give and take of political bargaining is not unlike the playful aggression and concession that transpires during orchestrated leisure activity.¹⁶ More recently, Graham Allison, former head of Harvard University's Kennedy School of Government, linked presidential decision making to "game theory," although he fails to directly link presidential policy directly to tangible sporting institutions.¹⁷

In using game theory, political scenarios are converted into probabilistic outcomes, with the menu of political outcomes weighed in a manner similar to a coach selecting plays on a sideline. Chilling in its implications, particularly in its ability to analyze political life and death outcomes with the cool calculation of a technocratic assistant football coach, game theory and strategic advantage has rapidly become a defining component of electronic-age media coverage. James Fallows laments that this trend has helped to emasculate democratic institutions. According to Fallows, "a relentless emphasis on the cynical age of politics threatens public life itself, by implying day after day that the political sphere is mainly an arena in which ambitious politicians struggle for dominance, rather than a structure in which citizens can deal with worrisome collective problems."¹⁸

Journalists and scholars have frequently connected sports and politics in a variety of ways. References to "horse race" journalism abound during election campaigns. Journalists are aware that political coverage paralleling sports coverage provides an easy opening for criticism of journalistic routines, but it is also generally recognized that "horse race" and other "sports oriented" reporting strategies are popular with much of the public. Understandably, Fallows extends the sports/politics analogy beyond common horse race comparisons, arguing that in recent news coverage "the entire press has become the sports page," to the clear detriment of the democratic process.¹⁹ Presidential primaries become "the road to the final four," as evidenced by the narrowing of the field to four candidates this year for a "Super Tuesday" showdown. Not surprisingly, the 2000 presidential election has thus far followed Fallows proposed "sports model" with stunning accuracy.

Outside of the election framework, presidents struggle for positive press coverage in a dynamic media environment that has, in recent times, become saturated by the kind of entertainment values that permeate the sports and entertainment pages. Former Kennedy advisor Richard Neustadt is frequently cited by presidential scholars for asserting that "presidential power is the power to persuade,"²⁰ but political currency in the Executive branch has been diminished substantially by press routines that equalize celebrity murder trials and high-profile sporting events with far-reaching White House policy initiatives.

Leaders now compete for attention in a multichannel environment that is unkind to issues that are complex or lacking in sizzle. Furthermore, general declines in political interest challenge leaders' ability to engage a broad public with sufficient enthusiasm to alter policy in a dynamic and comprehensive way. This public disinterest gives some political leaders latitude to act as self-interested policy entrepreneurs, but the "power to persuade" others on issues of importance can be severely constrained by lack of public involvement in the process. In short, a President must be able to engage a broader public in order to pressure wavering legislators to support desired policy proposals. As a result, Presidents have paid careful attention to public opinion polls and the media landscape, seeking to maximize public acceptance for their administration. In many ways, John F. Kennedy pioneered Presidential press relations in the television age, placing Lou Harris on the

White House payroll in the early 1960s while involving himself with popular culture on a periodic basis

Presidents and presidential candidates have responded to this altered media environment in a variety of ways. Jeffrey Tulis argues that the modern president has adjusted to media institutions by creating what he calls "a rhetorical presidency" that structures appeals to a broad public. Tulis suggests that Theodore Roosevelt is "the father of the rhetorical presidency" because he was "the first president to secure legislation with an appeal 'over the heads' of Congress."²¹

Roosevelt adroitly used the press, particularly the muckrakers, to further his own agenda. Roosevelt was also a master of timing, often jumping into a political situation after interest groups had worked tirelessly for years to ensure passage of legislation. Like Clinton, Roosevelt had a knack for taking the important contributions of others, and converting them into what historian Robert Wiebe described as "dramatic, personal victories."²²

Unlike Clinton, Roosevelt involved himself in sports reform with bluster and bravado, a tone that was politically advantageous in pre-suffrage America. Roosevelt's 1905 meeting with football leaders was an orchestrated response to the muckraking critics of football, with press coverage suggesting that he would take dramatic action, even ban the sport, if true reform could not be established. Clinton, on the other hand, stepped into the Baseball strike issue gradually, as would be expected of a leading advocate of a "free market" economy. When it became apparent that his involvement with the strike would not yield results, Clinton avoided the testosterone-charged approach of Roosevelt, instead opting to shame baseball executives, while gradually withdrawing his commitment to the settlement process.

The Strike: A Chronology of Failed Negotiations-

Major League Baseball continued to operate during the United States' involvement in World War I. In fact, President Woodrow Wilson never suggested cancellation of the sport as the United States mobilized its troops in 1917 and 1918. Although some games were canceled in 1918 because the trains were being used to transport troops, the World Series was completed in both years. President Franklin Delano Roosevelt insisted that Major League Baseball be played during World War II to lift the morale of workers. A full schedule was played in 1942, suggesting, argued sports columnist Bill Conlin, "that baseball is a sport historically regarded by the government as being too important to cancel-- even during mankind's bloodiest and most widespread war."²³

Against this historical backdrop, President Bill Clinton decided to involve himself in a protracted baseball strike that extended from August 12, 1994 to April 2, 1995. The strike was instigated by owner demands for revenue sharing and salary restraint. In short, team owners were unable to restrain themselves from bidding and counterbidding against each other to attract free agent players, and were seeking a mechanism that would control salaries. Management initially offered to split revenues with players on a 50/50 basis, a position unacceptable to the players who were recipients of 58% of all baseball revenues prior to the strike.²⁴ Owners also proposed salary caps on total team salaries, but the cap formula did not theoretically restrict how much an individual player could earn. In the strike's opening hours, the President's involvement had been limited to mild rhetorical rebukes and passing commentary from White House staff. This was reported in various media sources without major fanfare. During this process, he did allude to the availability of federal mediation, although his enthusiasm for personal involvement was clearly tepid because, according to *Washington Post* reporter Jerry Knight, "politically, there is nothing

to be gained by putting the President's prestige on the line."²⁵

On August 24, 1994, twelve days after the strike began, players representatives and owners met for the first time since a failed August 12 bargaining session, but the meeting was clouded by high levels of distrust and suspicion. The Major League Baseball Players Association released a 65 page financial report commissioned from Stanford University economist Roger Noll challenging the integrity of the owners financial reports.²⁶ Noll's report created palpable tensions between parties, but the seeds of distrust had been sown in the months and years before the strike was declared. By September it became obvious that negotiation would not produce a resolution, so on September 14, after a closed-door meeting between Acting Commissioner Bud Selig and Union Chief Donald Fehr, owners canceled the remainder of the 1994 season, including the World Series. Fans reaction to the news was varied, with apathy and anger among the primary responses.²⁷

On September 15, 1994 Senators Howard Metzenbaum and Orrin Hatch threatened legislation aimed at eliminating baseball's antitrust exemption, a move which was meant to push owners to the bargaining table.²⁸ House Judiciary Committee hearings, held on September 22, resolved nothing, despite attempts by the Players Association to lobby for repeal of baseball's antitrust exemption, a move that would further weaken the financial position of team owners.²⁹

As it became evident that attempts to manipulate Congress would bear no fruit, President Clinton remained in the shadows, but on October 14th, Clinton's Secretary of Labor Robert Reich appointed William Usery, a veteran labor negotiator and former Secretary of Labor, to serve as mediator.³⁰ Despite Usery's outstanding record of labor negotiation, he was unable to cajole an agreement out of the two warring factions after several November meetings in Rye Brook, NY. Owners announced cancellation of negotiations at various points in December and later unilaterally decide to impose a "salary cap" on total team salaries, prompting several Senators to launch another effort to repeal baseball's antitrust exemption. On December 27th, both labor and management filed unfair labor practice charges with the National Labor Relations Board.³¹

As the strike moved into 1995, it was evident that both sides had no intention of budging. In early January, Senator Daniel Patrick Moynihan and Representative Michael Bilirakis attempted to reintroduce antitrust repeal legislation in a futile attempt to move both sides closer together.³² Owners made lobbying efforts on Capitol Hill, temporarily stalling any attempt to move ahead on baseball-related legislation. As a result, players and owners resorted to vicious attempts to discredit or emasculate each other. After the owners unilaterally imposed team salary caps, the Players Association declared 800 players "free agents" after being tendered contracts under the unilaterally imposed owners' terms.³³ Shortly thereafter, owners upped the ante, approving guidelines for hiring of replacement players.

Owners further displayed their resolve by opening "tryout camps" in Florida for several teams and announcing efforts to sign replacement players. Among those pursued were former players who had fallen on hard times, such as five-time drug offender Steve Howe and recently retired players, including Phil Niekro. Plans were also announced to reduce ticket prices for games played with lower-salaried replacement players, a move that was presumably aimed at putting high-salaried players on the defensive.

The absurd intransigence of players and owners resulted in public revulsion of both sides. On the day after television and radio broadcasters suggested that rights fees would be jeopardized if replacement players were used, President Clinton stepped in on January 26, 1995 to sternly warn both sides that their selfishness had been "imperiling the livelihood of tens of thousands of

workers whose livelihood depends on baseball."³⁴ In an attempt to put closure on the strike, he set a February 6 deadline. Both players and owners failed to make even modest progress after exchanging various verbal attacks. On February 7, Clinton, at the request of federal mediator William Usery, scheduled negotiations in the White House with a futile hope that a more direct linkage with the Office of the President would produce results. A day later, after conferring with Usery, President Clinton announced that a resolution to baseball's longest labor dispute was not forthcoming. Because this labor dispute did not involve issues of national security, Clinton confessed that his power to intervene was limited. As a result, he indicated that he would draft legislation, for Congressional consideration, that would force both sides into binding arbitration.³⁵

While Congress debated the issue, no legislation was forthcoming. Instead, both team owners and labor traded barbs, threatened each other, and attempted to undermine each other's potential progress in various ways. Players discussed the possibility of forming a new league, while owners moved headlong through March with plans to field teams stocked by inferior replacement players. Ironically, in the final analysis all of the political posturing and histrionics were moot. On Friday, March 31, 1995, U.S. District Court Judge Sonia Sotomayor sided with the players, restoring baseball's collective bargaining system as it had been structured prior to the strike. Shortly after the ruling, the players offered to end the 232 day baseball strike. In a fitting end to a series of absurdly reckless negotiations, the players' conciliatory "offer" to settle the strike was reported in newspapers on April 1, 1995, a date normally set aside for childish pranks. Two days later, the owners agreed to terms that were vociferously described as patently unacceptable during earlier negotiations. The baseball season commenced on April 23, 1995, approximately three weeks after the normal schedule for opening day.

Despite deeply discounted tickets and a series of special promotions, fans stayed away from the ballparks in record numbers. The fan response to baseball's longest work stoppage was so bitter that attendance figures did not come close to pre-strike figures until the record breaking 1998 home run season involving Mark McGwire and Sammy Sosa. Many experts argue that baseball is still digging itself out from the effects of the 1994-1995 strike despite new ballparks in many cities and over five seasons without collective labor strife.

From Reluctant Moralist to Active Engagement: Baseball and Clinton's Policy Agenda

After clear evidence of intransigence on the part of team owners and union officials, why would President Clinton consider involving himself in this issue? On the surface, Presidential involvement in the strike seems foolhardy, but a more careful analysis suggests that a variety of public relations benefits could be achieved by reluctant involvement with this issue.

A look at the broader media landscape in January 1995, when Clinton fully committed the White House to resolution of the dispute, reveals that the White House was struggling to achieve credibility on a variety of fronts. First, Clinton's public approval ratings were under assault, challenged by a newly elected Republican majority in the House of Representatives that seemed to be gaining ideological momentum. Record fund-raising efforts by a number of newly elected Republicans suggested that their agenda, fortified by special interest resources, would be difficult to counter. Second, Clinton was under further assault for Whitewater allegations and for failing to achieve several stated policy goals, including seemingly moribund healthcare legislation.

Finally, news routines were changing in ways that were beyond rapidly spinning beyond control of the White House staff. The presidency was steadily losing ground in overall media exposure on two fronts. First, the Republican majority in the House of Representatives presented

one challenge. Of potentially greater significance was the loss of prime media space to celebrity-oriented news coverage. It was the increasing tendency of national news outlets to adopt "entertainment values" that squeezed White House issues off the front page with increasing frequency.

If Clinton's opponents attempted to characterize him as a controlling liberal ideologue, a general display of restraint in the baseball strike might convey reasonableness and a willingness to share power in a battle that was of little political importance to either Republicans or Democrats. The rhetoric of Clinton seemed inclusive and reasonable in contrast to the absurdly egotistical stand of baseball's representatives. Congressional threats to revoke Major League Baseball's antitrust exemption seemed irritatingly shrill when compared to Clinton's call for measured compromise.

Presidential involvement in the baseball strike was that of a reluctant moralist. Clinton generally treaded lightly in the opening months of the labor dispute, assigning surrogates to act as spokespersons and allowing members of Congress to take on direct challenges to Major League Baseball's legal structure. By January, the President made the conscious decision to personally involve himself in the issue in a more profound way, but even when this decision was made, it was clear that Presidential involvement would be limited if labor and management could not be prompted into action. Throughout the process, Clinton attempted to position himself in media coverage as a spokesperson for the common fan. His rhetorical appeals were generally egalitarian in nature, a strategy that is frequently successful in making populist political appeals.

In one of his first statements regarding the strike, issued on August 11, 1994, Clinton spoke of those who would be innocently hurt by the strike. In an often utilized Clinton strategy, he alluded to the many children who might be affected by the strike, stating "there are a lot of little kids out there who want this season to come to a close, and... I think the people really ought to be taken in to consideration here, and I hope they will be."³⁶ President Clinton's more direct involvement in strike negotiations on January 26, 1995 also supports egalitarian goals, with an obvious appeal to blue collar Americans. In a statement issued on that day, he argued that

America has been living without baseball for far too long.... As the strike drags on... it could well damage the economies of the spring training states. It is imperiling the livelihood of tens of thousands of workers who depend on baseball. And it is trying the patience and depressing the spirits of millions of baseball fans-- including me.³⁷

As it became apparent that Clinton's involvement in the strike would not yield positive results, he highlighted the limits of Presidential power, and quickly took action that would move the burden of resolution to a Republican-led Congress that periodically attempted to paint Clinton as a leader obsessed with power. The move was a public display of his willingness to extend power to Congress, despite abundant evidence that Congressional leaders had little desire to address the issue in the manner suggested by Clinton.

In fact, shifting the burden of strike settlement set the stage for a "rhetoric of self-interest" in Congress; a move that had the probable outcome of improving Clinton's stature among careful observers of Congressional politics. Because team owners control a highly desired resource, the limited number of Major League sports franchises, self-interested Congressional politicians were extremely reluctant to oppose them. As a result, several senators resisted the president's agenda in favor of team owners' interests. Senator Bob Graham, fearful that his Florida constituency could lose a chance at a new franchise and/or a spring training site, stated that "owners have a significant amount of political clout and feel in control of the situation."³⁸ Virginia Senator John

Warner, hopeful of getting a baseball franchise in his home state intentionally sidestepped any possibility of Congressional intervention because "Virginia has a good chance to get an expansion team and I have to look at what helps Virginia."³⁹

Congressional involvement in the strike has many dimensions, but one of the most salient is a conscious move toward disengagement from the issue because of a belief that such disengagement would not alienate senators from the powerful political influence of team owners. In examining the inaction on Capitol Hill it is easy to see why media scholar Lucig Daniellian concludes that in general "the power to influence public decision policies is in the hands of elites, and not citizen action groups."⁴⁰

In his final attempts to resolve the strike, the President showed a willingness to compromise with unreasonable combatants, opening the White House to union and management representatives on the day before submitting his binding arbitration proposal to Congress. While it is impossible to determine ulterior motives, opening the White House to baseball's combatants after his initial display of disappointment and anger may have helped him to retain high public approval ratings when future political attacks were aimed directly at the White House. Travel office and Whitewater challenges were already on record, and vociferous attacks in the wake of proposed health care reform made it clear that the second term of a Clinton presidency, if achieved, would be a turbulent one indeed. Clinton's self-positioned conciliatory stance on this issue was one that might help him to win over undecided voters in his bid for reelection in 1996. As presidential scholar James David Barber argues, "the viewer tuning in for facts to guide his/[her] choice would...have to pick his political nuggets from a great pile of political irrelevancy."⁴¹ In short, the baseball strike might, on the surface be perceived as politically irrelevant, but Clinton's conciliatory self-restraint in the midst of hostility may have served him well when faced with future partisan attacks.

As Clinton looked ahead to the election cycle, he had to be concerned about slippage in public approval ratings which may have been perceived as linked to media access. On the day Clinton proposed turning the issue over to Congress, recently crowned House Speaker Newt Gingrich was triumphantly featured on the cover of *Time* magazine for the second time in three months, an accomplishment afforded to few individuals.⁴² The unlikely emergence of Newt Gingrich as a media icon presented Clinton with a severe challenge for limited front page media coverage. An analysis by Graber released in 1993 revealed that television network sources run an average of 1.5 stories per day that relate to the presidency in a specific way, nearly twice the attention given to Congress. During the early days of the news coverage of the Republican controlled house and senate, it is likely that this trend changed with the balance of power shifting in the direction of the Congress.⁴³

Beyond that, Clinton was being pushed off the front page by not only Newt Gingrich, but by the impending O. J. Simpson trial, scheduled to begin in the first week of February. Months earlier, White House staffers were aware that the Kerrigan/Harding figure skating fiasco garnered front page coverage in elite sources, including the *New York Times*. As an endless campaigner, the inability to dominate the media agenda must have been greeted with uneasiness, if not trepidation. In spite of apolitical distractions, involvement in the baseball strike, although brief, managed to garner front page coverage when the president was directly involved. It also seemed to have some positive impact on presidential approval ratings, while softening the power of Newt Gingrich to control the media landscape.

There are tangible signs that this shift in media coverage may have been affecting the

Clinton administration's impact on public opinion. A Time/CNN Poll conducted on January 5, 1995 indicated that 54% of those questioned had a favorable opinion of President Clinton, compared to just 32% for House Speaker Newt Gingrich.⁴⁴ A Time/CNN poll conducted on January 26, the day that President Clinton took direct action on the baseball issue revealed that the President's approval rating had slipped to 46%, while Gingrich's approval rating improved by 7 points to 39%.⁴⁵ The certainty that White House pollsters would be aware of such slippage in the polls could certainly trigger a carefully planned course of attack to limit the exposure and perceived effectiveness of the new Congress. Although it would be irresponsible to attribute a dramatic rise in Clinton's public approval to his action on the baseball strike, a relatively minor issue, by April, his approval rating improved to 60%.⁴⁶

An often repeated criticism of Clinton's conservative opponents was that he timidly set policy in response to polling data rather than personal conviction. The baseball strike offered a low-risk opportunity to demonstrate these assertions were potentially misguided since public opinion was overwhelmingly set against White House involvement in the baseball strike. A *Washington Post-ABC News* survey conducted on the week President Clinton announced his desire to actively resolve the strike reported that only 21% of the respondents felt that the government should attempt to bring the parties together. Reacting against such overwhelming opposition may have appeared to be courageous on the surface, but the White House was not gambling on an issue that inflamed political passion.

President Clinton's public involvement in the baseball strike ran counter to public opinion, but the steps he took to limit personal involvement reveal a keen awareness of public opinion considerations. He effectively used his staff to float trial balloons and deliver messages to the public. He also timed his involvement to in a manner that maximized political benefit. Bringing the matter to the public two days after lobbying for higher minimum wages in the State of the Union Address and days before the end of football season put owners and players in an uncomfortable position with hopes that they would react to the desires of both sports fans and low wage workers at spring training sites. It also served to put Congressional Republicans in a defensive posture relative to the minimum wage issue. The date selected for action on this issue provides evidence that, in the words of presidential scholars George Edwards and Stephen Wayne, "the White House wants the timing of the presidential agenda to be compatible with the political climate to maximize the probabilities of achieving the President's objectives."⁴⁷

The historic public enthusiasm for sport provides another possible reason that the White House staff chose the baseball issue as a site of struggle. Bennett's assertion that "Americans' innocence of political knowledge has been so thoroughly documented that it is no longer noteworthy"⁴⁸ might provide one piece of the puzzle in constructing a helpful comparison of public enthusiasm for sports vs. a relative lack of enthusiasm for politics. The apathetic qualities of the public in reacting to this strike are not consistent with record-breaking attendance figures that were evident before the strike.

Clinton's action after withdrawal becomes more closely aligned with public sentiments of apathy, but he has taken various precautions to distance himself in the early stages of the process so he would not be perceived as a failure if a settlement could not be worked out. Publicly using White House staff and appointees to act as spokespersons on this issue takes some edge off perceived Presidential failure. Aaron Wildavsky points to this when he suggests that "future Presidents...will trade a little power for a lot of protection...[in order to] spread the blame"⁴⁹

As the possibility of a solution began to evaporate, the President took specific steps to

distance himself from the situation. The chronology of his response reflects a gradual attempt to remove himself from anything related to Major League Baseball as it became clear that his influence would be marginal. In early February, when there were modest signs of hope for settlement, White House spokesman Mike McCurry indicated that at a White House meeting involving players and owners the President "shook his head and said, 'both of you have a lot at stake, and I'm afraid both of you will wind up losers'." McCurry described the President's mood as being one in which he shared the 'heartburn, misery ... and frustration of the nation's fans'."⁵⁰

On February 12, 1995 *Washington Post* reporter Mike Maske reports that "one [Clinton] official close to the proceedings said ... its time 'to let both sides stew'." With a modest glimmer of hope, Secretary of Labor Robert Reich suggested shifting the strike issue to Congress since "it looks more and more like binding arbitration may be the only way out." Nevertheless, the populist appeals of the President are reintroduced when Reich states that "an awful lot of average working people ... feel like they are being held hostage by these parties. And we've had enough."⁵¹

Just five days later, with no progress in the negotiations, Maske indicated that the President would not throw out the opening day pitch. Clinton did not deliver the news, however. Instead, White House spokesman Mike McCurry suggests that the President has begun to adopt some of the apathy that is shared by fans, stating "he hasn't given it great thought, but it's impossible to imagine that he would throw out the first pitch of a game that doesn't represent the best that Major League Baseball has to offer."⁵²

On March 17, 1995, exactly a month after publication of McCurry's statement, the Defense Department issued an impersonally worded memo that further eliminated any doubt that the President, as commander in chief of the armed forces, would show even the slightest commitment to the symbolic support of Major League Baseball. The memo prohibited military bands, choral groups, or color guards from participating in ceremonial baseball activities in order to "remain neutral in the current labor dispute."⁵³

On the surface, it might appear that Clinton's strike-related involvement was a mistake. It did, however, shift the political agenda from the House of Representatives to the White House, helping to erode the stature of House Speaker Gingrich in an incremental manner. The relative lack of sharp public criticism of Clinton's efforts suggest that within the framework of Stuart Hall's formula of acceptance, negotiated acceptance, or rejection of media messages, the public might not have fully accepted Clinton's rationale for a political resolution of the baseball strike, but there was some appreciation of his desire to settle an issue that was of interest to many Americans. Specific instances of public criticism for President Clinton's efforts to resolve the strike were rare, so there may have been some long term benefit to his involvement in this issue. The extent of orchestration by the Clinton administration during the 1994-1995 Baseball Strike is problematic, yet it would be foolhardy to deny that careful planning went into some aspects of Presidential involvement.

Conclusion:

As the Clinton presidency winds down, the ever evolving role of media gatekeeping must be considered as an integral part of media analysis. The intensification of instant communication via internet and satellite channels provide formidable obstacles to future leaders' efforts to shape the policy agenda. Furthermore, a public saturated in media content frequently regards direct messages from political and corporate elites with suspicion. Former presidential advisor George Reedy asserts that as public relations tactics "become known, they become ineffective."⁵⁴

In her searing critique of brand identification, Niomi Klein indicates that superbrands such as Nike benefit substantially by aligning themselves with deeply valued cultural institutions.⁵⁵ Advertisements cease to be about product, but instead become an amorphous extension of a broadly accepted lifestyle aimed at a carefully determined target audience. It is likely that as Presidential Politics evolves, attempts to adapt similar "culture-based" public relations strategies may emerge and be further refined. John McCain's highly charged, "pep rally" campaign stops reflect one trajectory of this merging of culture and "product." Presidential candidate George W. Bush's reveals another possible scenario. On the Thursday after his Super Tuesday victory, Bush appeared on a podium with several Denver Broncos, addressing a large crowd while sporting a vest containing the team's logo. Not surprisingly, the Colorado faithful, primarily fans of the Broncos, were thoroughly excited to see their sports heroes on stage with a presidential candidate. It was difficult, if not impossible, to determine whether the enthusiasm was candidate inspired or the result of calculated alignment with a valued segment of community culture.

In his classic critique of media and social behavior, Josh Meyrowitz argues that the presidency has "lost much of its luster" because the constant presence of the camera and the microphone encourage candidates with "an easygoing sidestage... style that can bear a great deal of exposure."⁵⁶ As Americans retreat from the civic affiliations that impressed Tocqueville as an inherent strength of our nation, communication scholars might find fertile terrain for scholarship in evaluating the intent of leaders who make conscious attempts to bond with citizens through cultural institutions.⁵⁷

Michael Deaver compellingly argues that a "visual presidency" has emerged in recent years, rendering the "rhetorical presidency" useful, but of lesser significance in public persuasion because of the potential of powerful visual imagery provided by cameras and photographs. When Reagan's White House personally thanked CBS Correspondent Leslie Stahl for a negative critique of Reagan's senior citizen policies, the administration's gratitude was for a variety of patriotic visual images that seemed to overpower Stahl's critical rhetoric.⁵⁸ In such an environment, spectacle, psuedo-events, and Lasswellian master symbols gain an enhanced level of credibility.

Bruce Miroff is critical of the capacity of such symbolic gestures to disengage typical citizens, arguing that in an era of spectacle-based reporting, "the American public may not know the details of policy formation, but they know that... Ronald Reagan likes jellybeans and that Bill Clinton enjoys hanging out with Hollywood celebrities."⁵⁹ On a more profound level, Richard Lipsky argues that, rapidly understood cultural cues become highly useful, making sports and other forms of entertainment a powerful, yet potentially dangerous, ideological platform for leadership opportunities.⁶⁰ Although John Fiske is correct in his assessment that sport has the capacity to "expose the limits of officialdom," it should not be forgotten that cultural institutions such as sport often become the instruments of officialdom.

References:

- 1 Fiske, John *Power Plays, Power Works*. London, UK: Verso, 1993, p. 88. Fiske is referring to the capacity of sport to invert the "knowledge-power" dynamic so that knowledge is shared "horizontally within a *communitas* [emphasis in original] rather than vertically."
- 2 Deford, Frank. Seasons of Discontent. *Newsweek*, January 5, 1998, p. 74.
- 3 Edwards has written prodigiously on this topic. For one of his finest essays on minority involvement in sports, see: Edwards, Harry. The Collegiate Arms Race, Origins and Implications of the "Rule 48" Controversy. In Lapchick, Richard (Ed.) *Fractured Focus: Sport as a Reflection of Society*. Lexington, MA: Lexington Books, 1986, pp. 21-44.
- 4 Edwards, Harry. *The Revolt of the Black Athlete*. New York: Free Press, 1969, p. xvi.
- 5 Edwards, Harry. *The Revolt*, p. 118. Edwards' more recent scholarship has understandably backed away from a sense of optimism for sports capacity to alleviate social inequities.
- 6 Much has been written documenting Jordan's ability to persuade the public to buy products. A quantitative analysis by *Fortune* reporter Roy Johnson argues that his endorsements have resulted in a \$10 billion boost to the products and services with which he has had affiliation. Johnson, Roy. The Jordan Effect. *Fortune*, June 22, 1998, pp. 127-138.
- 7 Hargreaves, John. Sport and Hegemony: Some Theoretical Problems. In Cantelon, Hart and Gruneau, Richard (eds.), *Sport, Culture and the Modern State*. Toronto: University of Toronto Press, 1982, p. 118.
- 8 Williams, Raymond. *Marxism and Literature*. New York: Oxford University Press, 1977, p. 109.
- 9 Maraniss, David. *When Pride Still Mattered: The Life of Vince Lombardi*. New York: Simon and Schuster, 1999.
- 10 Mead, William and Paul Dickson. *Baseball: The President's Game*. Washington, DC: Farragut Publishing Company, 1993.
- 11 A number of baseball historians show how the sport was ideologically shaped during the Progressive Era, with the reality of player behavior and the image portrayed in the press divergent. Two solid sources include: Riess, Stephen. *Touching Base: Professional Baseball and American Culture in the Progressive Era*. Westport, CT: Greenwood Press, 1980. Voigt, David Quentin. *American Baseball* (Vols. 1 & 2). University Park, PA: Pennsylvania State University Press, 1983.
- 12 Smith, Ronald. *Sports and Freedom: The Rise of Big-Time College Athletics*. New York: Oxford University Press, 1988, pp. 191-212.
- 13 In 1905, the reported death toll was 18 with 159 serious injuries. Perrin, Tom. *Football: A College History*. Jefferson, NC: McFarland & Company, 1987, p. 54. By 1909, the death toll was

reported at 30 with 216 serious injuries. Moore, John Hammond. *Football's Ugly Decades: 1893-1913*. *Smithsonian Journal of History*. Vol 2, 1967, p. 61.

14. In one example, President Taft was on hand in Pittsburgh for a game between the Pirates and the Cubs on May 29, 1909, just weeks before the opening of Forbes Field. *Pittsburgh Post*, May 30, 1909, p. 1.

15. Andrew Zimbalist cites the 1984 authorization of cable deregulation as one such example since it resulted in team owner manipulation of cable fees and higher general rates for consumers. Zimbalist, Andrew. *Baseball and Billions*. New York: Basic Books, 1992, p. xvii. The Sports Broadcasting Act of 1961, also signed by the President, allowed professional sports leagues to enter into exclusive national broadcast contracts without the threat of antitrust liability. Since this protection was put in place, television has become a most profound source of revenue for professional sports franchises.

16. Huizinga, Johan. *Homo Ludens*. London, UK: Temple Smith, 1970.

17. Allison, Graham. *Essence of Decision: Explaining the Cuban Missile Crisis*. Boston, MA: Little Brown and Company, 1971.

18. Fallows, James. *Breaking the News: How the Media Undermine American Democracy*. New York: Pantheon Books, 1996, p. 31.

19. Fallows, p. 160.

20. Neustadt, Richard. *Presidential Power: The Politics of Leadership from FDR to Carter*. New York: John Wiley and Sons, 1980, p. 10.

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28. *New York Times*, September 15, 1994, B13.

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- 31 *New York Times*, December 28, 1994, B13
- 32 *New York Times*, January 4, 1995, B7
- 33 *New York Times*, January 5, 1995, B12
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**Polysemy, Resistance, and Hegemony:
An Audience Research of a Korean Prime-Time Drama**

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I. Introduction

Bogo Ddo Bogo (double take)¹, a Korean daily prime-time soap opera, was one of the most popular television programs in Korea from February 1, 1998 to March 6, 1999. It maintained the number-one viewing rating (usually between 45-50 %) for over one year (from the fourth week after airing its first episode to the last week), except for some special programs such as the World Cup games of the Korean soccer team. It also recorded the highest rating in the history of Korean television serial drama (57.3 %).²

However, to me as a viewer³, the show seems typical of Korean soap operas that primarily portray the living style of large Korean family, hinging on family and romantic relationships. Moreover, its narratives and images seem to include class-based values, patriarchal values, and consumerist values even more explicitly than other Korean soap operas do⁴. During the period that *Bogo Ddo Bogo* was being broadcast, Korean media critics had also criticized the program for its unreality and conservative perspectives⁵.

Then, what made so many Korean people, primarily middle-class people and women, so enthusiastic about *Bogo Ddo Bogo*? What meanings did the viewers produce from *Bogo Ddo Bogo*? What relationships were there between the viewers' meanings and the dominant ideological meanings and values embedded in the show? My questions converge into the problem of the relationship between the media text and the audience, more specifically between the hegemonic power of the former and the agency (resistance)⁶ of the latter.

II. Literature Reviews: Hegemony Theory and Active Audience Theory

Hall's encoding/decoding model (1980) provides the theoretical framework for a new field of audience studies, suggesting of dynamic interactions between media text and audience in terms of the meaning production of a media message. Since the model, there has been much empirical audience research that examines the relations between hegemonic meanings and values articulated in media texts and meanings that the viewers produce from the media texts. In particular, this research is interested in the degree to which the viewers resist or consent to the hegemonic meanings and values. And the difference in understanding the degree (or the ultimate role) of the viewers' interpretive resistance has made some divergence within audience studies. It could be said that two different traditions have been developed within audience studies, so called 'hegemony theory' and 'active audience theory', although we cannot categorize all existing audience research into one of the two traditions exclusively.

Within the category of hegemony theory, audience research shows that the process in which audience members consume (use and interpret) media texts is very similar to the process in which Gramsci's notion of hegemony works⁷: the viewers actively use media programs and produce meanings from them. And the viewers sometimes appear resistant to dominant ideological (patriarchal, capitalist, and racist) meanings and values in certain levels (or aspects). However, the viewers' activeness in using and interpreting media messages ultimately work to reproduce the dominant culture that disadvantaged the viewers themselves as the oppressed. For example, the works of Jhally and Lewis (1992), Press (1991) and McKinley (1997) can be categorized in this tradition.

Active audience theory, on the other hand, focuses the agency (resistance) of audience members over the hegemonic power of media texts or dominant cultures. The researchers emphasize that media texts are necessarily polysemic, and that the polysemic nature of media texts empowers the audience. Researchers within this tradition also focus on the resistant function of pleasure that viewers take when they consume media texts and on the role of community (subcultures) that would filter and reshape media messages. The works of Hobson (1982), Ang (1985), Fiske (1987, 1989), Jenkins (1988, 1992, 1995) and Brown (1990; 1994) include this tendency, at least in part.

However, the theoretical assumptions of active audience theory have been problematized by many researchers, especially proponents for hegemony theory, such as Carragee (1990, 1996), Condit (1989), Lewis (1991, 1994), Morley (1992, 1993, 1996), O'shea (1989), and Schudson (1987). The critics argue that active audience theory tends to overemphasize the polysemic nature of media texts and then to exaggerate the degree to which media texts encourage forms of viewers' resistance. They also state that active audience theory tends to improperly privilege audience activity over both the production processes that structure media content and the textual properties of that content.

I agree with Carragee (1996)'s argument that the degree of ideological openness of media texts and the agency of the audience remains an empirical question. Thus, it can be resolved through close readings of the media texts and through careful analyses of audience interpretations of the media messages. In this paper, while exploring the polysemic nature of *Bogo Ddo Bogo* and its viewers' interpretations, I focus on examining the hegemonic power of *Bogo Ddo Bogo*, the agency of the audience, and the power relations between them.

III. Research Method

For this study, I used the audience members' letters in the BBS (electronic bulletin board) section of the website for *Bogo Ddo Bogo* (mbc.co.kr/drama/see_see).⁸ Reflecting its popularity, the BBS of *Bogo Ddo Bogo* posted 11,801 letters sent through electronic mail from its viewers who watched the program on TV, viewed it through the VOD section of the website, or/and read its scripts on the website. Through the letters, the viewers expressed their feelings, thoughts, or opinions about the program, and discussed social issues implied in the content of the program. In analyzing the letters, I attempted a symptomatic reading of the letters, that is, I read the discourses of the letters rather than take what the letters say at face value as Ang (1985) and D'Acci (1994) did in their research.

Most of existing audience researchers use ethnographic techniques such as participant observation or depth interviewing. Although I admit their strengths for audience research, I agree with Morley's comments (1992) that ethnography should not be viewed as the only (politically correct) method for the media researcher and that we should not identify qualitative methods with the progressive wing of communications studies. Morley (1992, p.13) argues that "all questions of methodology should ultimately be pragmatic ones, determined according to the resources available and the particular type of data needed to answer specific questions".

Moreover, some researchers point out that ethnographic audience research needs the effort to quantify viewers' interpretations. Morley (1996) points out that the rejection of

all forms of quantification (as a kind of methodological-ethical principle) may have the pitfall of unguarded and unwarranted generalization. Schroder (1987) also argues:

One of the tasks (of audience research) ahead will consist in conceptualizing a method which makes it possible to incorporate and preserve qualitative data through a process of quantification, enabling the researcher to discern the demographic patterning of viewing responses, for instance the proportions of 'preferred' or 'aberrant' responses within demographic groups and in the general population (p.27).

Using the letters of the BBS as research data, I tried to quantifying viewers' interpretations and then to combine qualitative research with quantitative one⁹.

IV. Description and Interpretation

A. Viewers' Interpretations and its Relations with Dominant Ideological Meanings

The viewers in the BBS express various opinions on and debate with one another about *Bogo Ddo Bogo*. They are especially active in interpreting its main female characters. Among the characters, Eun-Joo and Kum-Joo, who are sisters but have contrary ways of thought and living and keep a conflict relationship during the entire length of the show, are the objects that the audience members interpret with the most enthusiasm and in the most various ways. For this reason, I focus primarily on the viewers' interpretations of Eun-Joo and Kum-Joo in order to explore the relationship between the viewers' interpretations and dominant ideological meanings and values embedded in *Bogo Ddo Bogo*.

1. Hegemony: Dominant Reading

Among the various interpretations of Eun-Joo and Kum-Joo, some seem to be produced within the framework of the dominant Korean (Confucian) patriarchal culture. Most of the positive interpretations of Kum-Joo and many of the negative interpretations of Eun-Joo are based on the dominant notion of female identity such as being "nice" and "pretty" which is primarily related to the implication of passivity and dependence, and whose ultimate purpose is to attract men¹⁰. The viewers value Kum-Joo as nice, pretty, cute, innocent, and pure, and criticize Eun-Joo's active, independent, and sturdy attitude as selfish, hypocritical, shallow, overactive, sly and discourteous.

Frankly speaking, most current women have "princess syndrome" at least a little bit. There are many women who think of themselves as princesses and behave like princesses. Of course, their faces are not pretty. . . If somebody has a beautiful face, how much is she involved in the syndrome? In this drama, Kum-Joo appears as a princess but not as a hypocritical person. There is nothing to criticize about her because that is her nature.

I think that Kum-Joo, who is really pure and kind, can get married with whomever she really loves. If Eun-Joo, who dreams of being Cinderella and sacrifices everything for her objective, becomes happy, what do the young learn from it? I object to a double marriage. Eun-Joo, who has a dual personality, should regret her behaviors and yield to her elder sister, Kum-Joo, who is innocent and pure.

For me, while Eun-Joo is crude and not courteous to her family, she is so good and nice to attorney Park and his family... She absolutely has a dual personality. She is a bad girl who looks forwards to becoming the wife of an attorney. She should be cursed by being separated from attorney Park. And nice Kum-Joo should live happily with the protection of Ki-Pung.

I don't like Eun-Joo's behaviors from the early episodes... selfish, self-interested, weak to strong people, and strong to weak people... in the future, I hope that Eun-Joo gets married and then changes into a more humane being through experiencing hard anguishes imposed on her by her mother-in-law...

I think a really wise and considerate woman does not show her strengths explicitly, and protects other people's weakness.

The aunt (Bong-Heu) speaks rightly to Eun-Joo; although she (Eun-Joo) is able to do anything well, she has to degrade and restrain herself in front of the older people and then make them rather than herself eminent...

The patriarchal nature of this kind of the interpretations is revealed by the viewers' contrary interpretations of Eun-Joo (female) and Ki-Pung (male). In the drama, Eun-Joo (especially in the early episodes) and Ki-Pung are very similar in terms of their personality and activity. Both of Eun-Joo and Ki-Pung make active efforts to develop their relationships and get married with Ki-Jung and Kum-Joo respectively. They both have active, sturdy and independent attitude in the social sphere and are very good at their jobs. However, the drama places their personalities and activities in very different contexts, and the audience members interpret them very differently.

Always brave and validating, Ki-Pung...

Their love should be allowed considering Ki-Pung's dedicated effort. And everybody is embarrassed with Eun-Joo's dual personality. I think women need some trickiness, but Eun-Joo uses it too much so that her behavior look seriously planned.

I cannot give my mind to the character of Eun-Joo, sly, hiding herself, pretending. I like the lovely character of Kum-Joo. And I like Ki-Pung who does his best for her. I hope I can meet a man like Ki-Pung as my marriage partner. He is really perfect as the eldest son-in-law...

I read a newspaper yesterday. I was very happy that my courageous manly guy, Ki-Pung finally got permission to marry (from Kum-Joo's parents). You did it. You prove that there is no tree that could not be cut down by ten hits.

Whereas the viewers positively interpret Ki-Pung's active attitude as brilliant, validating, brave, devoted, and courageous, they problematize Eun-Joo's active attitude calling her duplicitous, tricky, sly, unwise, and greedy. They seem to reinforce Confucian patriarchy that requires different attitudes and roles between men and women in the domestic and social sphere.

On the other hand, many of the positive interpretations on Eun-Joo and the negative interpretations on Kum-Joo also seem based on Confucian patriarchal virtues for women, such as obedience, patience, devotion for family (especially husband's family), and good homemaking. The viewers interpret Eun-Joo's desperate efforts to make a good impression on her boyfriend (Ki-Jung)'s family before marriage, and to adapt herself faithfully to (in fact, to obey, endure, and devote herself for) the culture of her husband's family after marriage as nice, self-restrained, courteous, and devoted. And the viewers criticize Kum-Joo's reluctance to play a women's role (duty) as strictly defined by Confucian system, especially domestic housework, referring to her as selfish, tricky, dull, childish, and lazy.

While working hard in a hospital, Eun-Joo makes many efforts to do housework and to learn how to cook before she gets married. We can see her efforts. I can not forgive the writer if she sides with Kum-Joo more. That makes women prefer to live only for themselves instead of making a beautiful effort to live with others...

... It seems very difficult, under our social conditions, to achieve equality between men and women. I am very angry when I feel in my workplace that I am treated unequally only because I am a woman.... However, I think it is just a minimum effort that, after marriage, many women faithfully serve their parents-in-law and make good foods for their husbands, like Eun-Joo does.

I am very moved by Eun-Joo who goes to Kaesung-Jip (a restaurant which serves the unique foods of Kaesung, a Northern west region of Korea) to learn how to cook before her marriage (because the family of her fiancée, Ki-Jung, comes from Kaesung). Compared to Eun-Joo, I don't want to even mention about Kum-Joo who tries to get the attention of people (the family members of her future husband, Ki-Pung) only by tactics akin to cute baby tricks.

... she (Kum-Joo) does not fully know even how to cook rice but wants to get married with the man whom she loves. I think that such a woman should not even talk about marriage. There are some qualifications for getting married. Just as a man only thinks about marriage after getting a job and buying a house, to get married, a woman should have the ability to keep house well by herself. What on earth did her parents teach her in their home?

Today, Kum-Joo's activity is too outrageous. If you (Kum-Joo) get married and became a homemaker, you must be able to do things a homemaker should do. Although they were sisters, they are now sisters-in-law to each other. This relationship is difficult. Why do you not launder your husband's clothes but instead have Eun-Joo do that? Even if you have been brought up as a princess by your parents...

In the drama, before marriage, Eun-Joo and Kum-Joo, and Eun-Joo and her mother, Mrs. Bae sometimes fight with each other because of Mrs. Bae's unequal love and distribution of housework to her two daughters and because of Kum-Joo's reluctance to do housework. After their marriages, the two couples (Eun-Joo/Ki-Jung and Kum-Joo/Ki-Pung) live together with the husbands' grandmother and parents in one house, and Eun-Joo and Kum-Joo try to keep their own jobs. All burdens of housework of this large family are imposed on the two newly wedded women (with some help from their mother-in-law, Mrs. Jee). In this situation, the viewers attribute Eun-Joo's heavy burden of housework to Kim-Joo's reluctance to do her share. Almost none of the viewers mention the fact that male characters do no household chores at all.

The patriarchal nature of this kind of interpretations is more explicitly illustrated by another set of interpretations based on the same dichotomy of the good (Eun-Joo) and the bad (Kum-Joo) in terms of the Confucian patriarchal virtues for women. In the later episodes, Kum-Joo is depicted as more devil-like and Eun-Joo as more angel-like in terms of Confucian patriarchal virtues for women. However, good things happen to Kum-Joo and bad things to Eun-Joo. And, although Eun-Joo is eager to have a baby, but Kum-Joo is pregnant first. In their letters, the viewers look forward to Eun-Joo's happiness and Kum-Joo's unhappiness. For this, they request the writer of the program that Eun-Joo has a son and Kum-Joo a daughter. They seem to express firmly one of the strongest Confucian patriarchal ideologies, the preference of a son to a daughter¹¹.

Eun-Joo made every effort even before marriage and has been diligently performing both household work and her work in the hospital. But Kum-Joo doesn't like cleaning even her room, making excuses that she is too busy studying... Viewers must want to see good results for Eun-Joo's efforts. That is the truth of encouraging the good and punishing the bad. I hope that Eun-Joo also becomes pregnant.

Considering a recent story, I think the writer's way of thought is very bad. (I heard) Kum-Joo will bear a son and Eun-Joo a daughter, even a seven-month premature baby. I hate that.

Eun-Joo will deliver a seven-month daughter and Kum-Joo will deliver a son. Is this a happy ending? I think the really happy-ending story would be that Eun-Joo who has done her best for life bears a son. By now, Kum-Joo has enjoyed a very easy life without any effort of her own and has been unreasonably loved by others. So she should deliver a daughter and should be treated badly...

Today, I cried because Eun-Joo was too pitiful... and I heard that she would deliver a seven-month baby. What the hell? What is worse, Kum-Joo will deliver a son. What is the theme of this drama anyway? If born with bad fate, is any truthful effort useless? ...

Ms. Writer, please let Eun-Joo have a son...

2. Resistance: Resistive Readings and Oppositional Readings¹²

Among the various interpretations of Eun-Joo and Kum-Joo, some imply the resistance to the dominant ideological meanings and values articulated in *Bogo Ddo Bogo*, especially (Confucian) patriarchy. The viewers value Eun-Joo's activeness, independence, and sturdy attitude at a individual and social level.

I am very interested in the characteristics of Eun-Joo in the drama. I am very pleased with her when she, in a very sturdy manner, confronts and solves embarrassing and difficult problems.... This program is very interesting and the best home drama.

I like the characteristics of Eun-Joo very much. I don't like the nice, modest, and obedient characteristics of female characters that most dramas of our country have described so far. ... She is brave enough to propose her love and marriage to a man (Ki-Jung) and makes active efforts to protect and sustain the man. I think that Eun-Joo at least has her own viewpoint on her life. To sustain the man she chose in any difficult situation, to do her best for her job, visit Ki-Jung's house continually, and to see his family although they dislike her. If you ask me, 'What kind of principles are there?', I think it is to do best for what she chooses. She is my favorite female character in the history of Korean drama. Go! Eun-Joo. Go! Writer.

I feel empowered with seeing that women appearing in this drama have very active and strong characteristics. Women have usually been described as feeble and nice. I have not been pleased with that but I am satisfied with seeing Eun-Joo in the drama. I think that this drama is good because it strongly expresses that her life is hers. So I watch it every day.

Some people criticize that Eun-Joo is too tough. But I don't think so. Eun-Joo is not overactive but does her best. I know that there are many people who possess many things without any effort of their own. However, you should know that there are also many people who achieve something only with their efforts. Eun-Joo is wise, not too tough. What makes you think that managing her jobs well by herself is overactive.... Ask yourself whether you are criticizing Eun-Joo because it is too hard and troublesome for you to do your best for your own life with great confidence like Eun-Joo does.

The audience members find and enjoy some factors within the program for resistance to the dominant notions of female identity as argued above. I regard these interpretations as the resistive reading primarily presented by Fiske (1987, 1989).

On the other hand, some interpretations of Eun-Joo and Kum-Joo include the criticism of *Bogo Ddo Bogo* in terms of its reinforcing male-centered dominant Korean culture, its encouraging the superwomen image of Eun-Joo, and its portraying the preference of a son to a daughter.

Listening carefully to the conversations of two couples (Eun-Joo/Ki-Jung and Ki-Pung/Kum-Joo), we can recognize that the men speak to the women with common language, while the women use respectful language to address the men. Of course it could be understood when the men are older than the women, or the women have disadvantages, or they are older, conservative couples. However, they are new-generation couples... The new-generation couple has an equal relationship based on love. So it is disgusting that the remnants of the patriarchal order are imposed on the new-generation couple. I hope that they naturally change their way of conversation.

I am angry with the image of Eun-Joo: 1. Sturdy 2. Good at socializing 3. Good at cooking. 4. Knows traditional courtesy very well 5. Witty and wise at reading the old people's minds. This is the model of a superwoman that modern society requires. I hate it. Why? I am not a superwoman. And I don't want to be one.

I am very angry and sad that *Bogo Ddo Bogo* reinforces the way of thought of preferring a son... People want to do something to make Eun-Joo happy and Kum-Joo regretful. Because they think of Kum-Joo as hateful and devilish and Eun-Joo as nice and pathetic. However, the current situation has become somewhat awkward. The way to make Kum-Joo guilty and unhappy is to have her bear a daughter and the way to make Eun-Joo happy is to have her bear a son. I was very shocked at hearing a conversation between two elementary school girls yesterday, "Kum-Joo is a bitch, she should not bear a son". Bad person = daughter? Then daughters, women, are something that should not be blessed. Do they lead a pathetic existence? I understand that there is nobody who is entirely free from the way of thought to prefer a son because it is so deeply rooted in our society. ... We may prefer a son to a daughter even unconsciously. Why? It might be the nature of women that they want to have a baby as the other self of her lover. However, the most important thing is that this kind of society is so male-centered that people feel disadvantaged without a son. *Bogo Ddo Bogo* continues to cry out that the family without a son is unhappy, as Sun-Mi's family shows...

...The writer seems to be a male chauvinist. He described women as full of vanity and living only for love with men so that they are very unproductive. And what is more disgusting is that this drama delicately uses, instead of superior men in other dramas, the female character, Eun-Joo, to indict the (bad) women. Eun-Joo has sturdy personality that men have in this society. So we could misunderstand her as a feminist activist. However, the writer does not use her in such a way. At least, unlike usual women, she shows superiority that men have. So while she speaks to her inferior elder sister and mother with common language, she faithfully submits to Ki-Jung's family.

Korean society has a commonsense that a woman should be good at housework and cooking and take good care of her husband's family. Eun-Joo also plays a role in encouraging such a commonsense. ... I don't think that the parents of a daughter feel guilty. However, Eun-Joo's family submits to Ki-Jung's family too much...

These viewers seem to understand *Bogo Ddo Bogo* as a patriarchal text and then to problematize the overall meaning structure of *Bogo Ddo Bogo* and the dominant Korean

culture, especially in terms of patriarchy. I understand these interpretations as the oppositional reading presented in Hall's encoding/decoding model (1980).

B. Polysemy, Resistance, and Hegemony

It could be said that *Bogo Ddo Bogo* as a television text is polysemic because the audience members construct various meanings of *Bogo Ddo Bogo* in terms of relations with the dominant ideological meanings and values articulated in it, such as the resistive reading, the oppositional reading and the dominant reading. However, the polysemic nature of *Bogo Ddo Bogo* does not mean that it is an entirely open text on which the viewers can impose any meaning they want. And the polysemic nature of *Bogo Ddo Bogo* seems not to simply empower the audience. Rather, it plays a dual role, providing the ground in which the viewers produce meanings resistant to the dominant ideological meanings and values on the one hand, and reinforcing these meanings and values and then encouraging the viewers to conduct the dominant reading, on the other hand. I explore the relationship among the polysemic nature of *Bogo Ddo Bogo*, its hegemonic power, and the agency of the audience in terms of authorship, ambiguity and complexity.

1. Authorship

Bogo Ddo Bogo, although polysemic, seems to set the limit for the viewers' interpretations. For example, the direction of and the degree of the variety of the viewers' interpretations of Eun-Joo and Kum-Joo change according to the way that *Bogo Ddo Bogo* describes the characters.

Bogo Ddo Bogo can be divided into three periods in terms of the way in which it depicts the two characters. In the first period, the show primarily describes Eun-Joo's and Kum-Joo's domestic and social lives. During this period, the program depicts, in a positive way, Eun-Joo as independent, reasonable, sturdy, and active, on the one hand, and as nice, self-restrained, courteous and devoted, on the other hand. The drama also describes Kum-Joo as reluctant, idle and self-centered (princess-like) but nice and innocent in a somewhat conflicting (positive and negative) way. During this period, although some audience members construct the interpretations of supporting Kum-Joo, many of the viewers take Eun-Joo's side and criticize Kum-Joo.

In the second period, the program focuses on the romances of the two couples (Eun-Joo/Ki-Jung and Kum-Joo/Ki-Pung) and on the adversities (especially the objection of family members) they encounter in their efforts to get married. In this period, the two female characters are very ambiguously depicted because Eun-Joo's positive aspects in the first period are described in a more negative light such as hypocritical and overactive, and Kum-Joo's negative aspects are depicted in a more positive light as nice, pure, and innocent. During this period, the viewers most enthusiastically debate with one another about the characters and produce the most various interpretations of them. As the text depicts Eun-Joo in a more negative light, many viewers change their interpretations of her and change their favorite character from Eun-Joo to Kum-Joo.

... Eun-Joo's personality looks different from my early imagination. She seems too bright and then looks selfish... At first, I thought of her as different from contemporary women. However, considering a recent story, she seems to be hypocritical. How could such a wise person not change the mind of her mother-in-law?... Contrarily, she interacts with only her grandmother-in-law... (she) does not make any effort to be familiar with the mother-in-law. Sometimes she argues only her opinion and asks others to consider only her situation...

... I was a fan of Kim-Ji Soo (the actress who plays Eun-Joo) at first... however, as the story progresses, Eun-Joo becomes more and more hateful.

I watch this show very eagerly. And I thought Eun-Joo was a good model for women. However, as time goes on, I doubt the writer's thought on Eun-Joo..... I think it would be better not make a character like Eun-Joo.

I was a fan of Eun-Joo at first, but I now prefer Kum-Joo...

At first, I watched it (the program) thinking Eun-Joo was an angel because she was described as sturdy and independent even though her parents preferred her elder sister. However, in the later episodes, Eun-Joo is depicted as hateful... So, without considering my early feeling on Eun-Joo, I feel Kum-Joo is a victim and Eun-Joo is an assaulter.

During the last period, the show emphasizes Eun-Joo's and Kum-Joo's married lives with their husbands' family living in the same house. In this period, the show obviously uses the dichotomy of the good (Eun-Joo) and the bad (Kum-Joo) in terms of Confucian patriarchal virtues for women as argued above. In this period, the viewers are very uniform in their interpretations, praising Eun-Joo and criticizing Kum-Joo. This seems to reflect the power of Confucian patriarchal values related to Eun-Joo over other values related to Kum-Joo in Korean society.

I think that this overall pattern implies that the direction of and the degree of the variety of the viewers' interpretations are significantly influenced by the narrative structure or authorship of *Bogo Ddo Bogo*. The resistive readings shown above also seem to depend on the narrative structure of *Bogo Ddo Bogo*. They are found primarily in the letters sent during the first period but rarely appear in those during the second and the last period. In short, the authorship of *Bogo Ddo Bogo* works within its polysemic nature.

2. Ambiguity

The author of *Bogo Ddo Bogo* intended to produce the program as a ambiguous text. In an interview, the writer (Sung-Han Im) says:

I planned to create the characters not as one hundred percent angels or devils but as having a duality of goodness and badness, or strengths and weaknesses at the same time. In other words, I want to depict the characters close to our own personalities. In the course of telling of their feebleness, conflict, sadness, hope, etc. without exaggerating, I am trying to draw the ' sympathy with my thought, "although people have many contradictions and weaknesses, they are worthy entities to be loved and cared for" (http://mbc.co.kr/drama/sec_sec/make_writer_interview.html)

In other words, the writer intends her characters to be ambiguous. I think that this is an essential factor in the viewers' enthusiastic involvement in *Bogo Ddo Bogo*, primarily through liking, supporting, or identifying with some characters and disliking and criticizing others and that they actively participate in the debate about the characters. Then the ambiguity the writer intended provides the ground in which the viewers could interpret the characters in various ways and produce even the resistive meanings.

However, this ambiguity seems also to play a role in enhancing the hegemonic power of *Bogo Ddo Bogo*. In fact, many of the viewers' dominant readings of Eun-Joo and Kum-Joo shown above depend on their ambiguous characteristics and their conflict

relationship in the show. During the entire period of the show, Eun-Joo and Kum-Joo are described as having contrary ways of thought and living and in the conflict with each other. However, they are not depicted in terms of the dichotomy between the good and the bad, at least during the first and second period shown above. In other words, Eun-Joo's active attitude and Kum-Joo's (princess-like) passive attitude are both described in positive and negative ways. Here, it is important that Eun-Joo's activeness is described in a dual way. In the early episodes, it is focused more in terms of her independence and sturdiness in the domestic and social spheres. However, in the middle and later episodes, it is emphasized more in terms of her desperate efforts to make a good impression with her boyfriend's family before marriage and to adapt (in fact, obey, endure and devote) herself faithfully to the culture of her husband's family after marriage.

This ambiguous and complex description of the two characters and their relationship plays an important role in reinforcing the hegemonic power of *Bogo Ddo Bogo* and encouraging the viewers to construct the dominant readings. Firstly, most of the viewers who value Eun-Joo's activeness do not distinguish between Eun-Joo's active efforts for her own life and her desperate efforts to adapt (in fact, sacrifice) herself to the family of her boyfriend and later her husband. In fact, in their interpretations, the former plays a role in justifying (supporting) the latter. Many interpretations of these viewers eventually reinforce the Confucian patriarchal virtues for women as shown above.

Secondly, the conflict between Eun-Joo and Kum-Joo who are described ambiguously in terms of the dichotomy of the bad and the good seems to make the viewers more actively involved in the debates about them through taking the side of one character and criticizing the other. However their debates seem to be conducted primarily between two kinds of dominant notions of female identity (Eun-Joo's active attitude to accommodate herself to Confucian patriarchal values and Kum-Joo's "princess-like" passive identity). In other words, the viewers actively participate in the debates by taking one of the dominant notions of female identity and criticizing the other.

Lewis (1994) also argues that the ambiguity of media text should be understood not only as diminishing a message's ideological power, but also as reinforcing it. He states that the preferred meanings of media texts depend upon the way the program encourages different readings, and that a TV program may be influential because (not despite) it is able to reach different audience members in different ways.

3. Complexity

Fiske (1987) argues that television programs are complex text so that the viewers can construct various meanings from them, even resistive meanings. *Bogo Ddo Bogo* is a complex television text, especially in terms of dominant ideologies. It reflects two dominant Korean ideologies, Confucianism and capitalism. However, the relationship between Confucianism and capitalism is basically contradictory rather than cooperative because the former emphasizes moral values and the latter focuses on material values. So this complexity of *Bogo Ddo Bogo* might be regarded as one of the factors to provide the ground in which the following viewers' interpretations resistant to capitalism occur.

Many scenes show Eun-Joo eating ice cream. The time we watch the show is when we are thinking about having dessert after dinner. Moreover, Eun-Joo's happy eating gestures make us strongly want to eat ice

cream.... However, if the company that makes that (ice-cream) brand does not give so much financial support to your program, how about decreasing the intensity of the advertising (within the drama)...

Isn't it too outrageous that you advertise *Goethe's Italy Travel* and *Power Phase* (book titles) within the drama? Anyway I think it is good to introduce us to good books. But It is not desirable that you seem to intend to advertise the books of only a specific publishing company. What is worse, the books do not fit to the content of the drama. I even heard that Ki-Jung and Eun-Joo would go to Italy for their honeymoon

There are many people who rent houses by the month or by the year. Eun-Joo's family has their own house and the mother works as a real estate agent. Then why is the family described as poor? I cannot understand. This is wrong. You should describe the real common people (working-class). Although the family is the poorest among the three families (in the drama), it is not poor at all in our reality...

Although the drama is just an entertaining program, it should include reality. I hope that the writer expresses something with more research about it. Frankly speaking, an attorney has not only many positive aspects but also negative aspects. I can not understand why she describes a dance director, real estate agent, or nurse in such a (degraded and negative) way...

This drama is just encouraging mundane criteria for choosing marriage partners, such as appearance, occupation, personalities, family background etc. It describes only people who have such good conditions as desirable marriage partners...

.... (This drama) delicately encourages the distorted value system based on occupation and sexism, for example exalting attorneys, high public officers, doctors as the best people to be bridegrooms but somebody running a restaurant or working for an insurance company as less...

The viewers recognize, criticize, and ridicule the tendency of the program to encourage consumerism, the contradiction between the images of the program and its narrative in terms of class difference, and the drama's encouragement of class hierarchy through unequally describing different family economic backgrounds and occupations. In short, the viewers produce the oppositional meanings to the dominant ideological (capitalist) meanings and values articulated in *Bogo Ddo Bogo*.

However, this kind of the complexity of *Bogo Ddo Bogo* also seems to play a role in simultaneously reinforcing both Confucian patriarchy and capitalist consumerism. Even if not as strongly as other Korean television programs do, *Bogo Ddo Bogo* juxtaposes the dichotomy of the good and the bad with that of the poor and the rich or with that of moral values based on Confucianism and material values based on capitalism. And, like other programs, the former eventually wins over the latter, primarily in the narratives. Here, the important thing is that, in the process of making moral values win over material values, the show uses and encourages the Confucian patriarchal value system. While it depicts male characters as reasonable supporters of moral values based on Confucianism, it describes most of the female characters as admirers of the fetishism of money or as extreme Confucian moralists (such as Ki-Jung's grandmother). In other words, the dichotomy of the good/moral values and the bad/material values is equated with that of men and women. In the show, the female characters are often criticized as selfish, greedy, and extravagant by the male characters, Eun-Joo or the grandmother. Moreover, the middle-aged high-class or upper middle-class female characters (such as Bong-Heu and Song-Za) are sometimes depicted as the main players causing the 'IMF Crisis' (Korean economic collapse brought late 1997). On the other hand, *Bogo Ddo Bogo* continually

exposes, in a celebratory fashion, the living and consuming style of high-class people (Sung-Mi's family) and upper-middle class people (Ki-Jung's family), primarily through its images.¹³ In short, like other Korean television dramas, *Bogo Ddo Bogo* simultaneously encourages Confucian patriarchy and capitalist consumerism.

This logic of encouraging both Confucian patriarchy and Capitalist consumerism through contrasting them with each other reflects the logic of the dominant Korean culture. The logic of the dominant Korean culture is to emphasize the moral values based on Confucianism and to degrade (somewhat taboo) material values at a nominal and public level. But, at the same time, it is engrossed in the fetishism of money at the everyday level and encourages material values based on Capitalist consumerism as the most important aspect of people's happy everyday life. In order to solve its internal contradiction caused by the two conflict value systems (Confucianism and Capitalism), the dominant Korean culture has taken specific targets, usually women (especially middle-aged homemakers in high or upper middle-class) or young people (teenagers and people in their twenties). The dominant Korean culture criticizes them as 'abnormal' admirers of material values and as the main contaminates of moral Korean society. This victimization plays a role in purifying and justifying the dominant Korean culture as very moral. Then, it could be said that *Bogo Ddo Bogo* reinforces the dominant Korean Confucian capitalist culture.

A number of the viewers criticize female characters and sometimes young male characters as greedy and extravagant.

How does she (Mrs. Bae) value her daughters by their marriage partners' social conditions. Mrs. Bae does not know herself at all. She has nothing... How can she be proud that her elder son-in-law passed the bar exam and her younger son-in-law passed the exam to become a high public official? She must be a slave to money.

It is true that Eun-Joo was attracted to Ki-Jung by his occupation, an attorney. But that is not all... How about Kum-Joo? Kum-Joo has a number of meetings with a view to marry a man who has good living conditions. The reason she was persuaded by Ki-Pung was his material tactics; necklaces, expensive clothes, good manner... Those are enough to buy the mind of the mama's girl Kum-Joo.

Despite the poor economic condition of her family, Kum-Joo hates ready-made clothes and also dislikes department store clothes because too many people already wear them. Eun-Joo works hard and wears 50-60 dollar-priced clothes. Kum-Joo's mother does not buy clothes over a hundred dollar. Myung-Won has just several cheap neckties and only two suits. Kum-Joo is far from becoming a real human...

In the IMF period, considering so many unemployed people, Ki-Pung should be restrained in his attitude of conspicuous consumption.

On the other hand, the viewers tend to seek various kinds of commodities shown within the episodes of *Bogo Ddo Bogo*¹⁴.

I like Hae-Young (the actress playing Kum-Joo) very much. How are you so pretty? I want you to appear in many magazines so that I could know how you put on make up and wear clothes...

... I so envy you (Kum-Joo) for your fashion. Do you know that the costume you wear is fashionable for women these days? I like your fashion. Where do you get your clothes? ...

Hi!... What company provides the furniture, especially the couch in the aunt's living room...

My parents and my fiancée enjoy the show. They said that they liked the bureau that the elder son (Bo-Suk Jung) had bought when he got married. Could you let me know the maker...

I want to know the honeymoon route of the new couple (Ki-Jung and Eun-Joo). And the hotel they stayed at, the restaurant where they ate... Could you let me know the telephone number and location...

... Where is Kae-Sung Jip (a Korean restaurant shown in the drama) if it is real... I really want to go there. Could you give me the address? ...

... We could not find the places (shown in the drama) on TV, and then we searched your Internet site but in vain. I would like to go to those places with my loving boyfriend. Please let me know the address and telephone number. Please...

I think that this illuminates that the viewers and their interpretations are within the dominant ideological logic of the Korean culture. Through victimizing the specific "abnormally greedy people", the viewers seem to excuse their consumption desires and behaviors, and then to justify (reinforce) Korean social structure.

Here, I do not deny that the viewers' critical interpretations on the fetishism of money and consumerism at the level of specific individuals, characters, include resistant characteristics to capitalism. However, their problematization of female characters seems to play a strong role in reinforcing Confucian patriarchy. For example, the problematization plays a role in imposing the moral and rational superiority of male characters. In *Bogo Ddo Bogo*, female characters look more active (powerful) in the domestic sphere than male characters. However, the viewers seem to interpret that the female characters abuse their power, and that the power should be returned to 'right' owners, male characters. They require the writer to give power to the male characters.

Ki-Jung has no decisive power. He does not have power (over his mother's objection) to push what he wants (his marriage with Eun-Joo). This is his weakness...

I feel that Mrs. Bae ignores her husband too much. Don't do that. In these days, many fathers are fired and lose their vitality. I hope that the drama would show that the authority of the fathers as the heads of the homes still alive.

Hey, schoolmaster Park! You should teach your wife before you do children in your school.

Ki-Jung's family seems to faithfully follow the opinion of the grandmother. ...the father (Mr. Park) has no authority...

I want to say two things. The first is about a father, the role of a father. ... Even though our society is in the era of the loss of paternal authority, I think there should be the role of a father. There is nothing the fathers do (in this drama)...

The problematization of female characters also contributes to defining social problems based on Confucian patriarchal culture as the problems of individual, female characters. Especially, the conflict between a mother-in-law and a daughter-in-law such as the grandmother/Mrs. Jee and Mrs. Jee/Eun-Joo is a traditionally serious problem within the Korean large patriarchal familial system. However, many of the viewers regard

the conflict as caused by the bad personalities of the female characters, rather than on the overall familial structure based on a Confucian patriarchal system.

Eun-Joo is the main resource for the fights between the mother-in-law (Mrs. Jee) and the grandmother-in-law. If Eun-Joo had behaved more carefully and wisely, she would have prevented the fights. She makes the relationship between the two worse.

Mrs. Jee is also very pathetic because she is stressed between her childish mother-in-law (the grandmother) and the sly daughter-in-law (Eun-Joo)...

Why does the mother-in-law (Mrs. Jee) hate Eun-Joo so much?... Is she a reasonable person? ... I think if she is reasonable, she can not dislike so much Eun-Joo who is a bright and perfect daughter-in-law. Kum-Joo, the mother-in-law (Mrs. Jee), and the mother (Mrs. Bae), all of you should regret your conducts...

It is true that Mrs. Jee is cold and obstinate. But her mother-in-law (the grandmother) is not less than Mrs. Jee... In the drama, Mrs. Jee is always very busy preparing meals for her mother-in-law. If I were Mrs. Jee, I hate the grandmother.

In short, the complexity of *Bogo Ddo Bogo* in terms of dominant ideologies seems to make it difficult for the viewers to produce oppositional readings to the complexly combined dominant ideologies. If considering a letter as a unit of meaning, the oppositional reading are very rare in the BBS. Even some of the viewers' letters including the oppositional readings shown above should be categorized as the negotiated reading because they include the oppositional meanings in terms of some dominant ideologies and the dominant meanings in terms of others. Thus, we can suppose the possibility that, the more complex the media text, the fewer and the weaker the oppositional readings will be.

C. Power Relations between Resistance and Hegemony

When we think that media texts are polysemic and the polysemic nature of media texts plays a dual role as showed above, the important thing for the researcher is to examine the power relations between the hegemonic power of a certain media text and the agency of the audience within a certain community, rather than to simply reveal their existence and then to focus on one of them. As one of the ways to examine the power relations between the hegemonic power of *Bogo Ddo Bogo* and the agency of the audience, I compared the number of letters including the resistive readings and the oppositional/negotiated readings with the number of letters implying the dominant readings. In my data, the latter overwhelmingly outnumbers the former¹⁵. The unequal power relation between them is also indicated in another way. The letters including the resistive readings and the oppositional/negotiated readings tend to receive reply letters that usually include the dominant readings and criticize or ridicule the critical letters.

Some people say that *Bogo Ddo Bogo* is unreal ... However, if the story is the same as reality, how can it make people feel good? ... It is natural that drama is for entertainment through the combination of fiction with coincidences... People's viewpoints vary. So I should not judge it only from mine. However, the high rating of this drama might imply that this drama makes adequate combinations...

You seem to have a very strong feminist thought. I think such an attitude makes the status of women much weaker...

I cannot understand why it is bad for dramas to look forward to popularity. Dramas are different from the programs that encourage serious thoughts. Finding normal things is one in a million in this abnormal nation. ... Could the critical people write this story even at such a level? ... The early ending of the drama can not be decided by the opinion of a minority (of the audience). Please be quiet if you don't want to watch it...

A drama is at most a drama. It just reflects the real... To speak more bluntly, if you don't like it, it is simple to solve the problem. Why don't you stop watching...

The reply letters argue that viewers do not have right to interrupt the production process of the program. They suggest that the people who do not like the drama should simply not watch the show rather than criticize it. They seem to try to expel the audience members who express critical views about the drama from the BBS as 'their community'. The viewers who have critical views about the drama send letters that criticize the reply letters but they are very few in the BBS.

In fact, I rarely watch *Bogo Ddo Bogo* these days. Sometimes I come back home late from my job. Moreover I think that there is no reason to watch a drama that adds stress to the tiredness from my work. Instead, I come to this BBS, read some writings and express my opinions, because I just like to do that. I cannot understand that some fanatics of Eun-Joo ridicule every critical writing to *Bogo Ddo Bogo* without any logical reason, and angrily say that somebody who doesn't like it should not watch it. Their argument that a drama is just a drama is right. Then, why do they divide into different groups and argue with each other about their favorite characters? Because the drama influences our life and our worldview. Therefore, audience members should freely criticize it and try to change the direction of the drama. Dramas reflect current society. The writers of dramas are different from those of novels. The audience members of broadcasting are indiscriminately exposed to dramas. Audience members don't know if the dramas are good foods or bad ones. It takes a long time to recognize it. So people criticize *Bogo Ddo Bogo*. We can not overlook the influence of TV...

... Somebody told us not to make noise in this BBS against the show. They said crudely, 'don't watch it if you don't like this drama.' However, I don't understand why they are unnecessarily angry at us. All people have the right to express their opinions and criticize things.

I think that these illustrate the unequal power relations between the viewers who conduct the dominant readings and those who construct the resistive readings or the oppositional/negotiated readings. And it might be said that the dominant readings significantly overpower the resistive readings and the oppositional/negotiated readings, at least within the BBS.

V. Conclusion

The audience members actively participate in constructing the meaning of *Bogo Ddo Bogo* and produce various interpretations in terms of relations with the dominant Korean culture, such as the resistive reading, the oppositional/negotiated reading and the dominant reading. In other words, *Bogo Ddo Bogo* is not a closed text but an open and polysemic one. However, this does not mean that it is an empty space that the viewers can impose any meaning they want. In other words, the polysemic nature can not be simply regarded as empowering the audience. Rather, at least in my study, it plays a dual role, providing the ground that the viewers produce the meaning resistant to the dominant ideological meanings and values, on the one hand, and reinforcing the hegemonic power

of *Bogo Ddo Bogo* and then encouraging the viewers to produce the dominant readings, on the other hand. Thus, exploring the power relation between the agency of the audience and the hegemonic power of media messages becomes more important than to simply reveal and focus on the hegemonic power of media texts or the agency of the audience. In this research, the dominant readings overwhelmingly outnumber the resistive readings or the oppositional/negotiated readings. And the former tends to ridicule and to try to expel the latter from the BBS. This seems to imply the unequal power relation between the two.

As a result, it could be said that, although *Bogo Ddo Bogo* is a polysemic television text and the viewers actively produce various meanings, the hegemony of *Bogo Ddo Bogo* to reinforce the dominant ideological meanings and values overpowers the agency of the audience to resist them, at least within the BBS. Researching the viewers' interpretations of *Thirtysomething*, Heide (1995) also similarly concludes that the female viewers are active in terms of their reading of *thirtysomething*, but something less than powerful in terms of their ability to define alternative scenarios to those set out by the program. These results draw us to Morley (1993)'s argument that the viewers are not "cultural dopes" but this is not to suppose that the popular audience is always critical or creative in its responses. In addition, Ang (1990) states that "while viewers may be active in myriad ways in using and interpreting media, it would be utterly out of perspective to cheerfully equate 'active' with 'powerful'".

NOTES

¹ *Bogo Ddo Bogo*'s main story is about a double wedding between two sisters and two brothers which is not illegal but is traditionally tabooed in Korean society. The title indicates the situation in which the two families see each other at least two times for their children's double wedding.

² Another indicator of *Bogo Ddo Bogo*'s popularity is that during the period when *Bogo Ddo Bogo* was aired, its following time slot, *MBC News Desk*, defeated its rival program, *9 O'clock KBS News* in viewing rating. It was a very rare case in the rating competition between the two representative Korean news programs because *9 O'clock KBS News* had proved more popular than *MBC News Desk* for a long time and often had high ratings despite the fact that other Korean news programs were generally struggling with their low rating. Media critics estimated that the popularity of *Bogo Ddo Bogo* made it possible. In fact, after *Bogo Ddo Bogo* ended, *9 O'clock KBS News* regained its position as the most popular Korean news program.

³ I read the scripts of *Bogo Ddo Bogo* on its website provided by MBC and watched the program through the videotapes that I rented from a Korean grocery store.

⁴ See the part of "Description and Interpretation" in this paper.

⁵ For example, Hankyreh-Sinmun, November 22, 1998.

⁶ Bielby and Harrington (1994: 83) define agency as the ability of socially embedded individuals to initiate and control behavior. For them, the agency of the audience seems to refer to the audience members' ability to generate their own meanings, regardless of the relationship of the meanings to hegemonic meanings and values. Otherwise, McKinley (1997: 251-252) defines agency as a challenge to the status quo, especially a discursive challenge. Thus, for her, the agency of the audience implies the audience members' power to generate meanings resistant to hegemonic meanings and values. In this writing, I follow McKinley's definition.

⁷ See Condit (1994)

⁸ MBC, one of the Korean broadcasting networks, provides its main television programs through a World Wide Website, so people can reach its main television programs through a personal computer. *Bogo Ddo Bogo* also has its own website operated by MBC. The website has not only the BBS section but also a VOD section that allows people to watch the episodes of the program, a script section that allows people to read the scripts of the program, and an information section that provides people with various information about and interviews with the main actors and actresses and the members of the production team.

⁹ However, for this paper, I could not fully realize this potential because I can not get exact socio-demographic data of the BBS letter writers. Thus, I cannot examine the relationships between different people in terms of gender, class, age etc. and different readings. In fact, MBC has this information because, in order to send a letter to the BBS, people must fill a registration form with many questions about their identity. Some of the letter writers identify themselves in their letters in terms of age, gender, occupation, and the gender of the writers could be identified by the names showed with the letter number. I just assume that most of the writers of the letters are middle-class by considering Internet users' overall demographic characteristics. Another

problem with my data is that the content of most letters is too short (from one sentence to two pages) to extensively explore the writer's thoughts, compared with the data from participant observation and depth interviews. However, this limitation is offset in some extent by the fact that most writers sent letters several times, some people over 25 times.

¹⁰ See McKinley (1997:60-65)

¹¹ In the drama, Kum-Joo delivers a baby daughter. After about one year, Eun-Joo bears a son and Kum-Joo bears a second daughter.

¹² The resistive reading and the oppositional reading are the same in that they oppose dominant ideologies. However, they are different because, while the oppositional reading works against media texts, the resistive reading works with them. Therefore, whereas the oppositional reading needs to self-consciously draw other discourses outside the media text to resist the dominant ideologies, the resistive reading does not because the material for resistance is already in the media text. And the resistive reading questions the idea of a preferred reading, while the oppositional reading assumes a preferred reading. In other words, the resistive reading does not assume any one preferred reading; different audience members will prefer different interpretations. See Lewis (1991) for more detail.

¹³ Moreover, although Eun-Joo's family is described as lower middle-class in the narrative, their living conditions and consumption style are more close to those of middle or upper-middle class people.

¹⁴ As the advertising within Korean television drama has prevailed since the early 1990s, the commodities shown within television drama such as cars, furniture, clothes, hairstyles, accessories, make-up, food, cafés, restaurants, sightseeing resorts, and special sports have rapidly grown in popularity right after dramas show them.

¹⁵ I did not precisely count the number of the letters but the former may at most account for 5 % of the letters.

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Cyberspace: The New Disney Universe

by

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Introduction: Overview of Study

The Disney empire comprises one of the top media conglomerates in the world with an imposing array of properties in publishing, broadcasting, cable television, film production/distribution, multimedia, music, theater, television production/distribution, sports franchises, theme parks, resorts, and retail stores.¹ In addition, Disney has interests in insurance, crude petroleum and natural gas production. Disney's most recent (and perhaps most interesting) ventures have been on-line. Not only does Disney offer Internet versions of their other media holdings (Disney.com, ESPN.com, ABCNews.com, etc.), they also possess several other web sites, including Oscar.com, Mr. Showbiz, Family.com, as well as joint ventures with major sports organizations, such as NFL.com, NBA.com and NASCAR.com. However, Disney's most notable move in Cyberspace has been the addition of an Internet search engine. In June of 1998 Disney purchased a 43% stake of Infoseek, with an option to go up to 50% in three years (Stone, 1999, p. 61). Since the procurement of Infoseek, Disney created the new Go Network, which is powered by the Infoseek search engine.² This newest search engine will most likely work as an effective vehicle for Disney to promote the products and services from their vast empire.

Disney's latest expansion into Cyberspace is a significant case to study. There has been much criticism regarding the sameness in entertainment programming and news coverage on the broadcast networks, and overall lack of source diversity in communications (Blevins, 1999). The Internet, however, has often been characterized in terms of a decentralized sphere with virtually unlimited sources of information and

¹ For a detailed list of Disney's properties and interests, see the *Columbia Journalism Review* (on-line) at <http://www.cjr.org/owners/disney.asp>

entertainment, where no media entities will dominate. Nonetheless, if Internet search engines are owned and operated by immense media conglomerates, and function mainly in their economic/commercial interests by directing information seekers only (or primarily) to other sources in their corporate fold, then the diversifying potential of the Internet seems diminished. The purpose of this study is to explore Disney's expansion into Cyberspace and analyze the relationship between its Internet search engine and burgeoning media empire. This research will provide the kind of data that policymakers can use in determining the impact of corporate conglomeration on this new media environment.

In the case of Disney, surely it will use its search engine to help popularize Internet versions of its other media interests, such as ABC news, ESPN, and many others (such as their NBA, NASCAR and NFL websites). Moreover, with a prominent Internet search engine, "Disney improves its ability to attract and keep Internet users and turn them into customers for a wide variety of products both on line and off" (Koch, 1998). Indeed, Disney's universe now includes several outposts in Cyberspace, which will likely function as effective outlets to re-package their movies, books, cartoon characters and so on. Jake Winebaum,³ who headed Disney's Internet ventures a short while ago, said in a recent interview with *Time* magazine: "We know how to get a consumer online to make purchases," and added that "the Internet is the ultimate medium about synergy" (Maloney, 1998, p. 34). The Internet has a unique ability to connect all other aspects of Disney's operation, and this synergism can greatly enhance Disney's productivity, and profitability.

² Infoseek and Go are not separate search engines. Typing in the old Infoseek URL will take web users to the Go.com address, and the page is titled "Go Network."

³ Winebaum recently resigned his post at Disney in order to pursue other Internet ventures (see Flynn, 1999). In September 1999 Steven Bornstein was named head of Disney's Internet group (*The New York Times*, 1999, p. C6).

Indeed, Disney is already well-versed in the practice of synergy. As Herman and McChesney (1997) explain in their book on global media empires,

When Disney . . . produces a film, it can also guarantee the film showings on pay cable television and commercial network television, and it can produce and sell soundtracks based on the film, it can create spin-off television series, it can produce related amusement park rides, CD-Roms, books, comics, and merchandise to be sold in Disney retail stores (p. 54).

Now, Disney's Internet search engine and network of web sites can be included in the immense array of outlets that are used to promote their films and other creative productions, which moreover, can vastly increase their profitability. For example, "Disney's 1994 *The Lion King* earned over \$300 million at the U.S. box office, yet generated over \$1 billion in profit for Disney" from other revenue streams (Herman & McChesney, 1997, p. 54). A horizontally and vertically integrated company, such as Disney, has a greater sense of profitability through "fuller utilization of existing personnel, facilities and 'content' resources," and more "opportunities for cross-selling, cross-promotion, and privileged access" (Herman & McChesney, 1997, pp. 53 - 54).

Based on these early observations, this study will focus on how Disney's Go Network may help facilitate the interrelated processes of cross-promotion (advertising Disney-related content and services), privileged access (thereby, re-packaging the same creative Disney products through different media outlets), and cross-selling (increasing opportunities for users to purchase Disney-related products and services). The following three questions will guide the inquiry:

1. How is the new Go Network being used to cross-promote movies, television programs, and any other enterprises in the Disney family? Are news and information

about Disney films and television shows featured prominently within the Go website? Is there a predominant presence of Disney advertisements?

2. Does the Go search engine give privileged access to Disney related content?

That is, does the Go Network noticeably direct users to other Disney web-sites, thereby re-packaging movies, books, cartoon characters, etc. into an Internet form? For instance, if a user looks under the subject category "entertainment," will they be directed to a Disney web site? Would a search under the "news" category lead users to ABC.com?

3. Finally, how does the Go Network attempt to get users to make purchases on-line? Are there frequent tie-ins between web sites and information to products and services (thereby cross-selling Disney-related merchandise and services)? Are there less obvious gimmicks to attract users to make purchases, or provide demographic information (i.e., contests, games, etc.)? Are the products and services featured mostly Disney related?

Although, there are several Internet search engines with ties to other media outlets (i.e., America On-line's merger with Time-Warner,⁴ Yahoo's recent cross-promotional deal with Fox television, and NBC's Snap portal service⁵), this study will focus on Disney's Go Network, which is unique because it has, perhaps, the largest and most well established universe to exchange with. In addition, Disney executives have already clearly announced their intention to utilize the Go search engine as part of their synergy (Maloney, 1998; Stone, 1999). However, the author will compare different aspects of Disney's Go Network to other popular Internet search engines (such as Yahoo!, Netscape's Netcenter, etc.), which may be poised to utilize the Internet in the same way as Disney. Nonetheless,

⁴ See Kuczynski & Carter (2000).

the critical focus here will remain on Disney, and a more in-depth look at other search engines will be left for further research.

The Political Economy of Disney's Media

In one of the most reknown political-economic studies done on the "Disney universe," Real (1977) found that in Disneyland visitors seemingly have "the flexibility and freedom of a stroll through the park" while actually functioning within "the structure and security of preprogrammed narrative plots" (p. 47). Similarly, Disney's Go Network may appear to offer users flexibility and freedom of searching through a wealth of information, while actually being guided through a structure that is explicitly commercial, and definitely Disney. As Real (1977) concludes, the "system of capitalist mass production [has] gradually supplanted elite or other aesthetic standards as the Disney yardstick of achievement" (p. 80). In the case presented here, information presented on the Go Network will more than likely have to contribute to Disney's system of production. If "popular culture *reflects* political-economic structures," as Real (1977, p. 47) asserts, then content on the Go Network will reflect Disney's political-economic structure.

Since Real's (1977 work), Wasko (1996), perhaps, offers the most comprehensive analysis of the Disney empire. Wasko presents a great deal of background on Disney ideology, how the "Disney Universe" has been studied, and suggests an "interdisciplinary approach" to understanding "the significance of Disney as a major contributor to consumer culture in the USA, and perhaps the quintessential symbol of American culture internationally" (1996, p. 350). Wasko recognizes that Disney has been a business genius,

⁵ See Pope (1999).

as well as a creative one, by producing sentimental animated films, such as *The Lion King* and *Little Mermaid*, while continuing to "exploit its film library, carefully releasing already amortized products in new forms, and promoting them through their business activities" (1996, p. 352). For instance, with "the video release of popular animated features such as *Aladdin* and *Snow White*, Buena Vista was the top video company in the USA for six consecutive years" (Wasko, 1996, p. 352). Obviously, the Internet appears to be the next logical extension for the Disney business to market its creative products.

Throughout the past century Disney characters and themes have been "continuously recycled, as Disney products are carefully and consistently reissued and repackaged in other forms (films and characters become theme park rides, etc.). Thus, the values represented are still introduced to new viewers and reinforced with previous audiences" (Wasko, 1996, p. 358). Ideologically though, "Disney's reputation for 'pure' entertainment means that often values are either assumed (and accepted), unrecognized, or denied. The pervasive family image of the Disney company often places it in a sacred, untouchable arena" (Wasko, 1996, p. 363). However, as Wasko concludes, studying the Disney Universe should no longer be considered "a Mickey Mouse enterprise, but an important component of our understanding of the world today, and the role communications institutions play in it," particularly as the "commodification of culture is intensifying" (1996, p. 366). Disney may do well more than just ply its wares through yet another outlet.

Wasko's (1996) analysis of Disney is particularly important in the context of such a pervasive medium as the Internet. As Maney (1998) points out, the Internet is becoming "an increasingly integral part of living. And as people use the Web to shop for clothes or

groceries, find repair services and get information for vacations, schools or piano lessons, they plug into and enhance the networked economy" (p. 1E). Accordingly, in this "networked economy" it becomes more important to consider who controls and shapes access onto the network. As the *Washington Post* reports, in the wake of the recent America On-Line/Time-Warner merger, there is intensifying debate "over who controls access to the Internet as it becomes increasingly central to much of American Life" (Goodman & Schwartz, 2000). Besides America On-Line, "few of the other media companies have done better online. Only Walt Disney, with its Go Network, is among the 10 top Internet services" (Hansell, 2000). Thus, popular search engines, like the Go Network, are poised to play a critical role in this new information political economy.

Theory and Methodology of Political Economy

Political economy is not only an appropriate theoretical framework, but an effective methodological approach for analyzing media institutions and industries. In broad terms, political economy is concerned with "ownership, support mechanisms (e.g., advertising), and government policies [which] influence media behavior and content" (McChesney, 1998, p. 3). More specifically, *critical* political economy "takes its intellectual vigor from [Marxism]" and sees monopolistic and oligopolistic industries "as inimical to the social and economic benefits of the masses" (Rush & Blanco, 1998, p. 6).⁶ As the Internet is often seen as an alternative to the present communications oligarchy, this study explores how the Internet (as the Disney case is fitting to demonstrate) is beginning to be brought into that very same oligarchy; and thus, this case is well suited for

a critical political economy critique. Gandy (1992) has noted that one of the challenges of traditional Marxist theory and political economy studies "is to describe the ways in which more and more activities are incorporated into the capitalist sphere of production" (p. 35).

Political economists (particularly under the banner of critical/radical scholarship) "must meet the institutional and professional demands for 'scientific rigor,'" which often results in a reliance on quantitative methodologies (Gandy, 1992, p. 25). However, media institutions have an *ideological* role in society, as well as an *economic* one, which is difficult to assess in the framework of positivist epistemology (Gandy, 1992, p. 36-37). Therefore, as Gomery (1993) begins to argue, "more powerful and flexible methods" are needed to do institutional/industry analysis (p. 190). For instance, "a qualitative researcher may use a case study approach. He or she might gather a large amount of information on one or a few cases, go into greater depth, and get more details on the cases being examined" (Neuman, 1997, p. 331). Furthermore, qualitative researchers can ask critical theoretical/political questions (such as, Who benefits?), and place issues in a larger social/historical context (Neuman, 1997, p. 336).

In their comprehensive work on designing qualitative research, Marshall and Rossman (1999) explicate several criteria for conducting sound qualitative research that are comparable to those that have been set forth in political economy for analyzing media institutions. From their interpretation of Scott (1990), Meehan, Mosco and Wasko (1993) discuss four criteria for assessing political economy research: authenticity, credibility, representativeness, and meaning.

⁶ For a further (and more complete) discussion of critical political economy, see Golding and Murdock (1996).

Authenticity pertains to collecting personal interviews or other documentation that can be considered "direct access" to the object of analysis (Meehan, Mosco, & Wasko, 1993, p. 113). This notion is similar to the one argued by Marshall and Rossman (1999) as "confirmability" -- that is, to locate the research exactly on the data themselves. It is extremely difficult to argue against the legitimacy of research that relies extensively on "authentic" sources: If other researchers wanted to "confirm" the findings, they could listen to recorded interviews, or read the primary documents (company memos, etc.). For the study proposed here, the author can obtain direct access to the web pages of the Go Network. The researcher can also keep records of the web pages content by printing out photocopies, and saving HTML (Hypertext Mark-up Language) on disks.

Credibility and representativeness, according to Meehan, Mosco and Wasko (1993), refer to more indirect evidence, (such as trade publications, popular press and government documents). Although these types of sources are to be used with caution without other sources of data, (because they can be closely aligned to special interests or political agendas) they do provide anecdotes and diverse points of view (Meehan, Mosco, & Wasko, 1993, p. 113). These notions of credibility and representativeness are comparable to Marshall and Rossman's description of credibility and transferability. Secondary sources can be used to describe a phenomenon in a particular setting, as well as in others. Here, the researcher will use trade press publications and general audience periodicals to locate financial dealings, business strategies, or other arrangements that may have some impact on how and *why* the web pages are designed the way they are. Although the specific findings will be limited to the Disney case, this research process can clearly be transferred to other cases (such as examining other Internet search engines).

Lastly, the criteria of "meaning" (advocated by Meehan, Mosco and Wasko) is parallel to the idea of "dependability" (recommended by Marshall and Rossman). As political economists, Meehan, Mosco and Wasko (1993) underline the importance to "really know what happened, who was involved, and what interests were served" (p. 114). At the same level, Marshall and Rossman (1999) stress the importance of a "refined understanding of the setting" (p. 194). To achieve a heightened level of meaning and understanding, the author will also examine the rich body of literature which has already been written on the Disney universe, such as Real (1977) and Wasko (1996), with the aim of contributing to that body of literature. As Wasko (1996) explains,

the Disney example offers a relatively neat and compact case in which to utilize interdisciplinary analytic tools. The continued extension and popularity of the Disney empire seems especially ripe for integration of political economic analysis with insights drawn from cultural analysis . . . emphasizing the economic as well as the ideological, production as well as consumption . . . (p. 349).

Hence, a case study of Disney is better suited for the research questions posed in this analysis, rather than relying solely on a more quantitative content analysis (for example); whereby the frequency of advertisements and hypertext links on the Go search engine are systematically counted. Such a research project would likely yield interesting results, and this study will include a content analysis, but it will also seek a deeper understanding of the social, political and cultural implications of a prominent Disney-owned search engine on the World Wide Web.

The usefulness of a qualitative political economy research design has already been demonstrated in at least three other works. Bettig's (1997) study, *The Enclosure of Cyberspace*, uses a radical political economy approach in investigating the National

Information Infrastructure. Bettig's analysis builds authenticity and confirmability in that he uses original government documents (i.e., the Telecommunications Act of 1996), and quotes several different Senators and U.S. Representatives who were involved in creating the new law. The research is also credible and representative (also, transferable) in that trade publications and several other pieces of scholarship are consulted to shed light on the object of analysis. Finally, Bettig's (1997) study seeks a deep meaning, and is dependable. The author concludes that "the logic of capital, consistently undermine[s] the liberatory potential that may be inherent" in new communication technologies (p. 154).

In another critical study, Elmer (1997) investigates the implications and significance of web sites that use "spiders" or "cookie" files to track web users movements through Cyberspace. Elmer argues that indexing technologies are used by commercial interests to solicit users' demographic and psychographic information. This type of analysis most likely could not have been accomplished using a traditional quantitative methodology. Also, Elmer's analysis is transferable to the questions posed in this research: Is the Go Network surreptitiously trying to solicit users demographic information?

Lastly, and relevant to the study proposed here, Pecora (1998) looks at the economic and social forces that shape the children's entertainment industry. In her analysis Pecora finds that over the past 20 years toy manufacturers and television broadcasters have developed an intricate relationship that has had a substantial impact on the content of their programming to be ripe for toys, games, clothing and other products. For instance, the "Care Bears" do not have to be the best educational program for children as long as they do a good job advertising "Care Bear" products; and although no products are advertised during the program, the mere presence of the characters reinforce the product

name (Pecora, 1998, p. 85). Hence, the same commercial logic could now characterize the Go search engine, which could reinforce the viability (and buy-ability) of many Disney products and services.

Research Design: Procedures for Analysis

In addition to the criteria laid out by Marshall and Rossman (1999), and Meehan, Mosco and Wasko (1993), both sets of authors also emphasize the significance of coordinating multiple sources of data. In the study proposed here, the author will coordinate four different sources for data gathering.

1. A primary source of information will be Disney's annual 10-K report, which is submitted to the Securities & Exchange Commission. The author will also access the 10-K reports of other companies that Disney has partial interests in. This way, the author can develop a complete list of Disney's holdings, and will indicate what key companies may be cross-promoted, what products will re-packaged, and what products and services can be purchased.

2. Another primary source of data will be weekly visits throughout the summer of 1999 to the Go Network web page and will include several in-depth "surfing" explorations within the web site, particularly within the "subject structure" featured on the main page.⁷ The author will track what web sites, and what types of information users are directed to by searching under the different categories within the subject structure. While searching several layers deep within the web site, the author will make note of obvious (and less obvious) cross-promotions and re-packaging within the Disney family. The author will

⁷ For a detailed discussion of search engine subject structures, see Elmer, 1997, pp. 184 - 186.

also take note of appeals, offers and opportunities for users to make purchases of Disney related products and services.

3. Secondary sources of information will consist of trade publications and general audience periodicals for updates on mergers, acquisitions and business strategies that may have an impact on the Go search engine. Using Lexis/Nexis, the author will check the business sections of major U.S. newspapers (i.e., *Wall Street Journal*, *New York Times*, etc.), as well as MSNBC on-line, because they are published daily, and thus, are timely sources of information. Internet ratings services, such as Nielsen Media Research, NetRatings, Inc., and Media Metrix will also be consulted for information regarding search engine rankings. Although these source are proprietary data, they will nonetheless help the author the gauge the popularity of the Go search engine, and to determine the effectiveness of some of Disney's strategies on-line. For instance, these ratings services can answer how many people are using a particular search engine compared to several others.

4. Other secondary sources will be scholarly works on Disney, such as Real (1977) and Wasko (1996). This will not only deepen the authors own understanding of the cultural significance of the Disney tradition, but moreover, help guide the authors contribution to that analysis. From here, the larger questions of social/political implications can be addressed, such as, Who benefits from the Disney search engine?

Bringing several different sources of information together on this single case will not only build trust in the work of the researcher, it will add integrity to the entire study.

Disney in Cyberspace: May - August 1999

Connecting Disney to the Go Network

Pending the release of Disney's most recent 10-K report, the author consulted a recent listing of Disney's holdings as published in the *Columbia Journalism Review* (1999). The listing had Disney's properties broken down into eight major sections: publishing, broadcast and cable, movies, financial and retail, multimedia, music, theater and sports, and theme parks and resorts. Using this listing as a guide, the researcher found several ways in which the Go Network can cross-promote, cross-sell, and give privileged access to other Disney enterprises.

Throughout the Go Network there are clickable banners and links that help to cross-promote several other Disney enterprises, such as ABC television, ABC news, Disney.com, ESPN, Family.com and Mr. Showbiz. Disney's broadcasting and cable, and multimedia divisions are well represented. These links also help to re-package other Disney content into Internet form. For instance, ESPN (the cable network) is now presented as ESPN.com (the web site), and the same goes for ABC television, and so on. In addition, there is cross-selling for Disney's theme parks and resorts, as they are advertised in different sections of the Go Network. The Go Network connects to Disney's shop.com, which allows users to purchase theme park tickets on-line (Maloney, 1998, p. 31). Moreover, Disney's shop.com sells Disney videos, Disney products, and other Disney items that electronic shoppers can customize, such as t-shirts, hats, mugs and greeting cards (Maloney, 1998, p. 31). In this case, the Go Network cross-promotes, re-packages and cross-sells all in one.

Inside the Go Network: It's a "magic kingdom"

Internet search engines are particularly ripe for subtly directing information seekers (a.k.a. -- consumers) towards products, services and merchandise that are produced by other companies within their conglomerate. Elmer (1997) argues that although search engines allow the user to do key word searches, there is inevitably some kind of "subject structure" featured on the main page (p. 184). The subject structure is featured more prominently on the web page with larger type font, bold face, and underline. For example, "**AUTOMOTIVE, FAMILY, ENTERTAINMENT, SPORTS,**" (and so on) are typical categories. These subject structures, like the icons and graphics on the web page, tempt browsers to 'click' the hypertext link, and thus, are the "medium and the message" (Elmer, 1997, p. 186). Subject structures are one of the most prominent features on a search engine web site, and arguably, the most likely to get a user's attention.

Centered between the myriad of ads, banners, clickable text on the front page of the Go Network is a prominent subject structure that contains the following eighteen categories: AUTOMOTIVE, BROADCAST, BUSINESS, CAREERS, COMPUTING, ENTERTAINMENT, FAMILY, FOOD & DRINK, GAMES, HEALTH, KIDS, MONEY, NEWS, REAL ESTATE, SHOPPING, SPORTS, TRAVEL, and WOMEN. While searching within these subject categories on the Go Network through the summer of 1999 the researcher made the following observations.

1. There were promotions on almost every page within the subject structure for the "Mr. Showbiz Box Office Challenge." Mr. Showbiz, another web site run by Disney, was sponsoring a contest where participants could win a free movie poster after sharing some of their demographic information.

2. There were also several advertisements for the Phil Collins music soundtrack of Disney's animated film *Tarzan*, which was released in the summer of 1999. Most of the ads appeared in the "Entertainment," "Broadcasting," and "Automotive" sections of the subject structure.

3. There were several items from the Disney shop featured "Kids" section of the subject structure. Also "Kids" section were links to many other Disney web sites, including Family.com, Mr. Showbiz.com, Disney.com, as well as Disney's Collector's Corner and more ads for the *Tarzan* movie.

4. Under the "Shopping" section of the subject structure the Disneystore.com was featured, as well as merchandise from the ABC television show *The Practice*, Disney's animated film *Antz*, and the ESPN store. There was also a Go Network shopping survey which solicited users demographic information. Throughout the subject structure there also several offers for users to subscribe to the Go Newsletter, which would provide updated information related to Disney's Go Network through e-mail.

5. The "Entertainment" section of the subject structure featured advertisements for several of Disney's other enterprises, including a Disney convention, Mr. Showbiz.com, ESPN.com, Family.com and Disney.com. More specifically, there were ads for Disney's animated films *Tarzan* and *Bug's Life*, ABC Television's *Home Improvement*, along with *Felicity*, a program that appears on Warner Brothers television (WB), but is produced by Disney's Touchstone production company.⁸ There was also an advertisement to "win cash" playing Go Games.

⁸ See Disney's Annual Report on-line at <http://www.disneyinternational.com/AnnualReport/television.htm>

6. The "Family" section of the subject structure presented promotions for Disney trips, and Disney cruises. There was also a request for demographic information, and a link to Disney.com.

7. Under the "Sports" section of the subject structure there was an ESPN.com banner, and links to Disney's NFL.com, NBA.com and NASCAR.com sites. There was also an advertisement for State Farm Insurance, in which Disney has a partial interest. The asked the user to type in their zipcode for a listing of the nearest State Farm Agent.

8. The "News" section of the subject structure was, of course, a link to ABCNews.com.

As these few examples demonstrate, the Disney empire is imbued throughout the subject structure of the Go Network. There were obvious links to Disney merchandise, ABC television, ESPN, and so on; as well as less obvious tie-ins to Disney produced television shows and insurance interests. These observations then beg another question: Does the Go Network make significantly more attempts to solicit a users' demographic information (that would benefit other Disney interests) through obvious requests, or through less obvious appeals (such as offering users a chance to enter a contest or win a prize)?

In order to further explore these follow-up inquiries, the researcher content analyzed the search engines subject structures of Go Network, Yahoo! and Netcenter for each day during one week in May of 1999. Yahoo! and Netcenter were selected because both search engines were ranked in the top three of popular search engines by two different search engine rating services (NetRatings and Media Metrix) (see Search Engine Watch, 1999a and 1999b). Within the subject structures of each search engine the

researcher counted the appeals made to users suggesting that they could win a prize, enter a contest and possibly win something. The researcher also counted requests made for the user to divulge his/her demographic information (i.e., zip code, e-mail address, age city of residence, etc.). In addition, the researcher noted whether or not the appeals and requests were related to the company that owns the search engine, or helped to promote another company within the conglomerate (i.e., self-interested promotion). The content analysis yielded some interesting results (see tables below):

Table 1: Self-interested requests for demographic information.

Search Engine	Demographic requests	Self-interested promotion
Go Network	78	16
Yahoo!/Netcenter	50	4

Table 2: Self-interested appeals to register for contests.

Search Engine	Contest appeals	Self-interested appeals
Go Network	54	34
Yahoo!/Netcenter	32	1

From these early observations, it appears that Netcenter and Yahoo! had comparatively few demographic requests and contest appeals than did Disney's Go Network. Keep in mind that the relatively low numbers of Yahoo! and Netcenter were *combined*, and still did not equal that of the Go Network. Although these figures do not prove that the Disney conglomerate is making any kind of sophisticated use of the

information obtained from the requests and appeals for demographic data from their users, it certainly suggests that possibility. What this leaves one to wonder about is the surreptitious nature by which users demographic information can be obtained, and how Disney intends to use that information.

Disney: King of the Corporate Colonies in Cyberspace?

Corporate control subsists in all media industries, and the Internet is turning out to be no exception as a few large commercial search engines are already dominating this relatively young market (see Blevins 1999). The recent union of America On-Line with Time-Warner is the most striking example of merger mania in Cyberspace thus far, and news of the deal has "sparked worries that corporate consolidation now imperils the free-for-all quality of the global computer network" (Goodman & Schwartz, 2000). The announcement "is very likely to portend other mergers and alliances" between old media (television, film, etc.) and new media (Internet companies) (Hansell, 2000). Currently, the other popular search engines are relentlessly being sought out by the popular broadcast networks. Just recently, Fox Television (News Corporation) made a deal with Yahoo!, CBS (Viacom) firmed-up an agreement with America On-line, NBC (General Electric) has stakes in CNET's Snap portal service, and ABC (Disney) holds the new Go Network. So far, it appears that the cross-promotional ties between corporate broadcast networks and search engines is having some effect on the popularity of those search engines. Since NBC acquired part of the Snap search engine it has moved up from virtual obscurity to be ranked at number five on the list of most popular search sites during the month of June 1999 (Media Metrix, 1999). Meanwhile, the Go Network which was just created in late

1998 has already emerged as the second most popular search site behind Yahoo! (Media Metrix, 1999). As Search Engine Watch explains, "Snap has benefited from advertising running on its partial owner, NBC television" (1999c). Likewise, the Go Network has a distinct advantage with its ties to the Disney empire and its many cross-promotional outlets.

Currently, the major broadcast networks and other media conglomerates are also fighting it out for Lycos, and "odds are someone will make the company an offer it can't refuse in the near future" (Fry & Hanrahan, 1999). Lycos has entertained offers from CBS, ABC, Fox, Time-Warner, Bertelsmann AG, and Viacom,⁹ as well as other Internet companies, such as Microsoft, America On-line, Yahoo! and Amazon.com (Fry & Hanrahan, 1999). Media giants, and broadcast networks in particular, have found the Internet to be another valuable tool in their synergy to attain larger audiences. As Pope (1999) explains,

the web until recently has been used primarily as a promotional vehicle. All of the major networks have extensive sites that they use to pitch their shows, with NBC even offering separate, online stories for its drama "Homicide."

These type of deals are also getting much sweeter, as Yahoo! has agreed to spend \$20 million in advertising on the Fox network, and in return Fox will insert Yahoo! into the storylines of some of its shows (Pope, 1999). The Internet can help to popularize on-line versions of other mainstream media, but no media conglomerate seems as acutely aware of this as Disney.

⁹ These offers were before Viacom's acquisition of CBS Television (see *USA Today*, 1999).

Trade publications and general audience periodicals have reported on current mergers, acquisitions and business strategies that may have a substantial impact on the Go search engine. Just recently, Disney has moved to combine its own Internet holdings with the Infoseek Corporation.¹⁰ By taking full ownership of Infoseek, the new company will be known as Go.com and "will merge Disney.com, Disney's Club Blast, the Disney Store Online and other holdings" (Fabrikant & Hansell, 1999, p. C1). Go.com will then be paired with Disney's Buena Vista Internet Group in order to pursue a more "aggressive" strategy on the broadband (Tedesco, 1999, p. 58). With full control over Infoseek, Disney will now revamp its Go Network portal in order to give Disney brand names "a more prominent presence" on the search engine (Tedesco, 1999, p. 58). Kevin Mayer, the executive vice president of Disney's Buena Vista Internet Group, said the takeover of Infoseek was necessary to "eliminate any competing agendas" (Tedesco, 1999, p. 58). Disney's "agenda" will most likely focus on promoting many of its other on-line assets, which includes 175 web sites under the Go Network (Fabrikant & Hansell, 1999, p. C9). Already, "Disney said the combined company was expected to have revenue of \$350 million, of which \$150 million would come from traditional sales from the Disney catalogue" (Fabrikant & Hansell, 1999, p. C9). Also, with the stock currency from Infoseek, Disney may attempt "additional Internet acquisitions" (Fabrikant & Hansell, 1999, p. C1).

Disney's expressed intent on merging its Internet assets came on the heels of a similar announcement that it would become "the first large Hollywood production studio

¹⁰ Disney is reported to have an overriding stock control (72 %) of Infoseek, although several lawsuits have already been filed by Infoseek shareholders after the announcement. For more information, see Fabrikant & Hansell (1999) and Tedesco (1999).

to put its operations under the same umbrella as a television network" by consolidating its television entertainment divisions into one unit -- the ABC Entertainment Television Group (Carter, 1999, p. C6). Disney executives acknowledged that a main goal of the move was to "establish a vertically integrated entity that would guarantee that more programs owned by Disney were placed on ABC's prime-time schedule" (Carter, 1999, p. C6). Likewise, it seems that Disney wishes to form a vertically (and horizontally) connected presence in Cyberspace that will keep web users surfing in the 'magic kingdom.' This may seem even more likely now that Steven Bornstein, who was named president of Disney's ABC Inc. unit in February of 1999, has also been named head of Disney's Internet group in September of the same year (*The New York Times*, 1999, p. C6). Bornstein will be president of Go.com (which will include all of Disney's on-line holdings) as soon as Disney finalizes its take over of Infoseek. It is interesting that Bornstein, who spent 16 years as a program manager and chief executive at the ESPN cable-television sports network will now hold the reins at what is, perhaps, the most expansive Internet group in the world.

One conceivable overriding concern with Disney centralizing its various media outlets is that business affairs in one division may affect content decisions in another. For instance, a reporter for *The Wall Street Journal* observed in 1997 that since acquiring ABC television in 1996, Disney had "routinely used the network to vigorously promote Disney products" (Orwall, 1997, p. B1). Furthermore, ABC started to refuse to air advertisements for childrens films that would rival productions from Disney's movie studios. This tactic, to block non-Disney competitors from its television network, may carry over to its new Go Network.

Disney's centralizing effect also gives rise to another concern, that content produced for its many outlets will have to adhere to the "Disney image." For example, Disney executives canceled the scheduled release of an Insane Clown Posse album (which was recorded on one of their record labels) because of the group's use of obscene language (Bart, 1997, p. 4). Will content and web sites within the Go Network also have to comply with Disney's wholesome semblance? As Bart (1997, p. 78) asks, "Is it realistic for a multinational corporation with interests in every facet of production and distribution to create and sustain a purity of a brand name . . . ?" If Disney tries to achieve such a task, it may have a dulling effect on the content of its Internet colonies.

Another issue to be raised with Disney's control over a popular Internet search engine, is the potential lack of source diversity between available search engines. Internet ratings services, such as Nielsen Media Research, NetRatings, Inc.,¹¹ and Media Metrix, were also consulted as part of this study to check information regarding search engine and portal rankings. Although these services are intended to give "a boost to information providers and advertisers eager to transform the net into a commercially viable medium," they will also be extremely useful in this study to indicate which Internet search engines and other web properties have risen to popularity (Berniker, 1995, p. 34). Information derived from these services may also give some indications about whether there is a lack or abundance of source diversity in the newly emerging search engine market.

One of the ways to analyze market structures, as Albarran (1996) suggests is to look at the concentration of the number of producers within a particular market. This is significant because "the lower the number of producers, the larger the degree of power

each individual [producer] will wield" within a market (Albarran, 1996, p. 29). Albarran (1996) suggests two approaches to measuring concentration in media economics: one way is to measure "the percentage of the market (using circulation or ratings data) reached by competitors through the product," and the second way involves calculating the percentage of revenues/sales controlled by the top firms (p. 30). A market is considered highly concentrated if the top four firms have revenues that are equal to (or greater than) 50% of the entire industry, or the top eight firms have revenues that are equal to (or greater than) 75% of the entire industry. A market is considered only moderately concentrated if the top four firms have revenues that are equal to (or greater than) 33% (but less than 50%) of the entire industry, or the top eight firms have revenues that are equal to (or greater than) 50% (but less than 75%) of the entire industry. Lastly, a market is considered lowly concentrated if the top four firms have revenues that are less than 33 % of the entire industry, or the top eight firms have revenues that are less than 50% of the entire industry (Albarran, 1996, p. 48).

For this study, a combination of the two approaches suggested by Albarran (1996) was utilized, considering that Internet search engines do not derive revenues directly from web users. Therefore, the concentration ratios will be applied to the percentage of the web visitors (using web ratings data) that use the different search engines. A similar study was conducted in 1997 and found that a relatively small number of sites (5% of the sample) commanded a large portion (74.81%) of traffic on the web (Markoff, 1999, p. C4).

¹¹ NetRatings recently merged with Nielsen Media Research (see Search Engine Watch at <http://www.searchenginewatch.com/reports/netratings.html>).

When applying the concentration ratios suggested by Albarran (1996) to the search engine ratings provided by Media Metrix (1999), an exceedingly high level of concentration was found, which already suggests a lack of source diversity. For the month of June in 1999 Media Metrix counted the total number¹² of users who visited a particular search engine (Media Metrix, 1999). Their index showed that the top four search engines attracted 81,910 different visitors from the total 119,540, which is 68.5%. This percentage indicates a "high" level of concentration, as it is well over the 50% mark required to be considered "highly" concentrated. As a matter of fact, the top two search engines (Yahoo! and the Go Network) accounted for over 43% of the visitors. Thus, how Disney uses their search engine is a significant case to study.

Conclusion

This exploratory study has yielded some interesting results to its guiding three research questions, while raising several others at the same time. First, it does appear that the Go Network is being used to cross-promote Disney movies, and television programs, as well as many other Disney enterprises. This was evident in examining the content of the Go search engine subject structure, as well as the expressed wishes of Disney executives as published in general audience and trade publications. Secondly, the Go Network does seem to give privileged access to Disney related content. The search engine subject structure noticeably directs users to other Disney web-sites and content, thereby re-packaging movies, books, cartoon characters, etc. into an Internet form. For example, users who search under the subject category of "news" will find "ABC News,"

¹² Visitors were counted only once.

and users who look under "kids" will find links to Disney.com, as well as other Disney ventures, such as Family.com and Mr.Showbiz.com. Thirdly, there appears to be several ways in which the Go Network attempts to cross-sell Disney-related merchandise and services. As the content analysis showed, Disney also made considerably more attempts to solicit users demographic information through contests, games, and so on. Most of these attempts were for Disney related enterprises. The results of this early study, however, raise more questions and give rise to further research.

Here are the two areas in which the researcher intends to continue, and expand upon the existing research:

1. The researcher will continue gathering information from the four sources used in this study. As these sources have proved worthy for this study, it will be important to keep up-to-date on the information already collected and examine the information over a longer period of time. The overriding goal of further research will be to analyze and explain Disney's Internet operations from the time of its acquisition of the Infoseek search engine (summer of 1998) through the first two years of existence of the Go Network (summer/fall 2000). During this time the researcher will pay particular attention to how Disney responds to the recent America On-Line merger with Time-Warner.

The America On-Line/Time-Warner merger is significant to this case because the newly formed conglomerate now poses a formidable threat to Disney's cross-promotional dominance in Cyberspace. For instance, AOL is more than just search-engine--it is also an Internet service provider--which guarantees 22 million subscribers (Kuczynski & Carter, 2000). Also, AOL can cross-promote the broad range of content provided by Time-Warner's media divisions on its front page, such as CNN news, Warner Brothers music,

and Warner Brothers films and television programs. If Disney wants to maintain its relative position of dominance in Cyberspace, how might it respond to the AOL/Time-Warner merger. Will Disney consider merging with another Internet service provider, or creating one of its own? In order to compete with AOL/Time-Warner, Disney CEO Michael Eisner may consider linking up with Yahoo! or cable operator AT&T (Valdmanis, 2000, p. 3B). On the other hand, Disney may "shun the mega-deal in favor of more conservative moves to bolster its Go Network" (Valdmanis, 2000, p. 3B). Whatever Disney's response, it is likely to come sooner rather than later.

2. The researcher plans to develop a more sophisticated theoretical framework in which to analyze the burgeoning Disney empire, and its use of the Go Network. The concepts of "hegemony" and "ideology" will be important ones to consider, as they are enigmatic in the face of the information age, which is characterized by Internet, e-mail, high-definition television, satellites, and so on. All of this bedazzling digital technology promises a fragmenting array of themes, messages, and discourses in a postmodern marketplace of ideas, which may diminish the ills associated with hegemony, or hegemonic ideology. However, the information superhighway (as this study has begun to show) will also deliver narrowly tailored advertising and further extensions of consumerism by high-powered corporate conglomerates. Continuing this study, perhaps, could begin to answer this dilemma. Furthermore, such a theoretical framework will build off any earlier one provided by Blevins (in press)¹³ on the nature of corporate colonization of Cyberspace in general. The resulting theoretical framework will be useful in analyzing how Disney may use the demographic information they attain through the Go Network, and the power

¹³ Book chapter scheduled to be published in September of 2000.

relationship between users and the corporate Disney. As Weise (1998) points out, users need to keep in mind "the invisible trail of data that follows almost every purchase" made on-line (p. 19E). Those digital footprints "are tracked, catalogued, and bought and sold without our knowledge" (Weise, 1998, 19E). Perhaps, herein lies the graver concern according to Wasko's (1996) recognition that Disney often appears as ideologically vacant. Does Disney make any sophisticated use of the demographic information they attain from their web properties? Does Disney also track users movements through their on-line network, and throughout Cyberspace? Moreover, how would the Disney company use this type of information to support and sustain the "Disney" image? Of course, these questions will have to be considered in further research.

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Examining the Problematic of *Auteur* Theory:
The Case of David E. Kelley and Picket Fences

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ABSTRACT

This paper explores the contemporary critique of *auteur* theory in the realm of commercial television production which has been asserted from post-structuralist, materialist, and dialogic perspectives. Drawing upon ethnographic research conducted within the David E. Kelley production company, the author argues that Kelley is a television *auteur*, albeit one whose authorship is implemented in ways consistent with the *auteurist* critique. Thus, this paper offers a variegated view of television authorship which incorporates that critique.

Examining the Problematic of *Auteur* Theory:

The Case of David E. Kelley and Picket Fences

Within the popular press, television producer-writer David E. Kelley has enjoyed widespread acclaim as an *auteur*, seen as the sole guiding force behind the creation of a series of idiosyncratic, original television programs that began with Picket Fences and has extended to Chicago Hope, The Practice, and Ally McBeal.¹ As example, consider these comments from representative reviews of Picket Fences:

- In executive producer David E. Kelley's novel for television, social, marital, medical, and ethical problems coincide for an hour, along with a touch of the gothic and a lot of the absurd. . . . But always, community and marriage are tested. And renewed. And sustained. Kelley's on a streak. (Leonard, 1993, p. 97)
- With tonight's "Final Judgment" episode, writer-producer Kelley affirms the vitality of his strange, confrontational, issue-oriented series. . . . Kelley's dramas are banquets for the brain. That's why Picket Fences still deserves your consideration--and the serious consideration of Emmy voters. (Grahne, 1995, p. 49)

In their remarks, these critics reify the image of the singular artiste whose authorial touch fundamentally shapes the content and formal style of a text, a view which harkens

¹ Picket Fences began its network run in 1992 and was the first series that Kelley developed. Prior to Picket Fences, Kelley worked on L. A. Law, beginning as a staff writer in 1986 and rising through the ranks in successive years as story editor, executive story editor, supervising producer, and in 1989-90 and 1990-91 as executive producer (Carter, 1990, p. C 22; Martin, 1995, p. 37; Weinstein, 1990, pp. 7, 94).

back to the 19th-century Romantic view of literary authorship and was codified in the realm of the filmic arts as the *auteur* theory through the European writings of the Cahiers du Cinema and Movie critics in the 1950s as well as Andrew Sarris's (1962-1963, 1968) American work (Silverman, 1988, p. 194).

But it is not only journalists who succumb to the siren call of *auteur* theory. This view is also common among scholars investigating the television industry, including the work of Muriel G. Cantor (1971), Horace Newcomb and Robert S. Alley (1982, 1983), Robert S. Alley and Irby B. Brown (1989, 1990), and Douglass Daniel (1996).

Despite these tendencies, the assertion of *auteur* theory within the realm of commercial television production has been challenged from several directions. First, there is the post-structuralist challenge whose proponents argue, as Roland Barthes did in his seminal work, "The Death of the Author" (1986), that *auteurism* is a fiction that masks the reality that cultural texts are created by the social and cultural discourses surrounding them; in Barthes's words, a text is "a multi-dimensional space in which are married and contested several writings, none of which is original: the text is a fabric of quotations, resulting from a thousand sources of culture" (p. 53).

Edward Buscombe (1980, p. 12) illustrates this view as applied to television when he characterizes the search for a single, originating, creative force as "more of an ideological project than a genuine quest for knowledge." Instead, Buscombe asserts that the content of a television series is the reworking of themes, character types, and narrative models drawn from other texts (p. 12). As John Caughie (1981, p. 11) has pointed out, this post-structuralist stance challenges not only the *auteurist* tenet of the lone author, but

it also rejects the idea that the mark of authorship is that which is unique within the text. Rather, as Buscombe argues, "what finally turns up on the screen is produced by the intersection of a complex of pre-existing ideological constructs" drawn from a range of social discourses (p. 13).²

The virtue of this post-structuralist stance is its edict that scholars engaging in interpretive activity should seek meaning in the interaction between the encoded text and its discursive contexts, thereby focusing on intertextuality. Certainly the recombinant, repetitive nature of television programming lends itself to this kind of critical analysis. However, the post-structuralist take on authorship minimizes the corporeal materiality of the production process, whereby actual people inhabit a concrete work site and engage in a series of individual and collective actions which shape the television program.

A second challenge to *auteurist* theory as applied to television derives from a more materialist view of the production process. Both Rosalind Coward (1987) and Robert C. Allen (1987) articulate this stance when they emphasize the industrialized nature of the process, in which complex technology is marshaled by highly-skilled professionals who work within an organization marked by an elaborate division of labor. The television program that results has been shaped by a chain of sequential decision-making enacted by

² In somewhat different ways, both Rosalind Coward (1987) and John Thornton Caldwell (1995) also argue that *auteur* theory is largely an ideological construct when applied to television. Coward claims that television critics have used *auteurist* arguments to elevate television to the realm of art, thereby legitimizing their attention to the medium. Caldwell, on the other hand, contends that the identification of television producers as *auteurs* has been a calculated promotional strategy initiated and fostered by the television networks in an effort to locate and secure a loyal audience by signaling particular programs as "quality" (p. 14). In Caldwell's words, "Amassing and flaunting producerly distinction is one way for media corporations to cut through the televised clutter" (p. 105).

a series of participants who follow conventions and expectations dictated by the logic and demands of mass production (Allen, 1987, p. 4). Coward argues that given this reality, "the image of the transparent communication between one author and his or her audience [is] hard to credit" (p. 82).

This materialist stance, too, clearly has validity when applied to the commercial television process, as is evident to anyone who has opportunity to view this process first-hand. Yet, in its emphasis on structures and industrialized practices informing the television production process, this stance undervalues the moments of communicative collaboration that occur, as when "loop" performers collectively ad-lib to create background sound tracks or line producers and editors work together to "lock" an episode in its final edited form.

A third challenge to *auteur* theory as associated with television draws upon this collaborative aspect of production. As articulated by Robert J. Thompson and Gary Burns (1990) and by Jimmie L. Reeves (1988, 1990), this stance might be labeled dialogic, for it is influenced by James Carey's (1989) ritual view of communication as well as Mikhail Bakhtin's (1981) discourse theory and Howard Becker's (1986, p. 15) conceptualization of culture as shared understandings that guide collective social activity. Scholars adopting this approach emphasize the collaborative, ritualistic aspects of production, in which people negotiate meaning by accomplishing compromise and by drawing upon a range of other cultural texts that they share in common. From this view, television is "polyauthorial," with input from various "human agents" who interact with one another

and with "a complex web of cultural, social, political and formal conventions and expectations" (Thompson and Burns, 1990, p. ix).

Reeves's (1988) research concerning the staff writing process for the television comedy Newhart illustrates this stance. Tracing the development of one script, he identifies key moments of collaborative rewriting and the conventional knowledge which writers bring to bear when adding and deleting script materials. Elsewhere, Reeves (1990, pp. 151-152) conceptualizes the work of the television producer as dialogic as well. He notes that the producer occupies dual roles as "narrative artist" and "trader in cultural goods." As a result, at the same time producers are concerned with the series under production, "they must always take into account the force of other texts (i.e., previous texts, competing texts, future texts) and other contexts (i.e., the production budget, the legal climate, the ratings)."

This dialogic stance neatly incorporates aspects of both the post-structuralist and the materialist stances, a recombinant move that is itself theoretically dialogic. And certain moments in the television production process clearly fit this model, as when collaborative activity occurs on the set, in story meetings, or in the editing room. Yet, many production decisions are also made in isolation, as when an editor working alone assembles the rough cut of an episode, or a producer-writer such as David E. Kelley revises a script draft. Of course, all work is subject to review by others, but all decisions are not debated collaboratively, and everyone's voice does not have equal authority during those moments of collaboration. Missing from the dialogic stance, then, are the transmission aspects of this communication process, which are informed by the distribution of responsibilities,

power and control among production participants. And missing from all three of the critical stances delineated above is the possibility that in some places, at some moments, an individual may indeed inscribe his or her own thoughts and aesthetic judgment upon the cultural text under production, whether it be under conditions of great uncertainty or as a consequence of that individual's relative authority within the production unit.

Caughie (1981, p. 3) contends that it is impossible to have a single, all-embracing theory of authorship, given the multiple sites and production arrangements that exist. Instead, he challenges scholars to work on defining authorship within specific production activities and at particular sites.

This research paper does just that. Ethnographic data were gathered on-site within the David E. Kelley production company in January 1995 during the third season of Picket Fences. As the following pages show, at that particular work site during that period of time, dialogic collaboration clearly shaped script development and production-related decisions during story conferences, "prep" meetings, and other activities. The institutional and industrial context was a significant factor influencing creative decisions as well, such as the effect of budget limitations on the way an episode was shot. Yet, throughout the work process, executive producer David E. Kelley consistently emerged as a unifying authorial force, whose approval was continually sought by others and whose dictates shaped the program in concrete ways. Even beyond his direct interventions, Kelley's influence was a discursive force operating within the production group, shaping the understandings and actions of participants in a post-structuralist way. Authorship thus emerges from this Picket Fences study as a multi-faceted process that combines elements

of the *auteurist* critique while nonetheless affirming the *auteurist* authority of David E. Kelley.

Dialogic Collaboration as an Authorial Force Shaping Picket Fences

Picket Fences was produced on the aging backlot of the Twentieth Century Fox studio in west Los Angeles. A first-time visitor may have difficulty negotiating the grounds, which contain a myriad of largely unmarked buildings whose assigned numbers bear little apparent logic. Picket Fences producers and most of its writers occupied Building 80, elaborately designed as a miniature Swiss chalet with a clock in its spire and best known for having been Shirley Temple's quarters when she was a major star for the studio. The Picket Fences editors worked in a smaller, unadorned building a short walk away, for the apparent convenience of producers who would supervise their work. More spatially distant from the producers' building but closer to the sound stages was the series production office, housed in a converted trailer and containing offices for the assistant directors, the production coordinator, the unit manager, and other production specialists. The offices of various other production workers, including the costume designers and production designer, were scattered throughout the backlot. The series was shot on three sound stages: the principal sets were permanently installed on stages 5 and 21, while stage 4 was used for "swing" sets that were needed for only one episode. Some post-production sound work, such as Automated Dialogue Replacement (ADR) or "looping" in which actors re-record dialogue or create additional dialogue tracks, was completed at the

studio in the Darryl Zanuck Theater. However, music scoring was conducted at Universal Studios across town and sound mixing at West Productions, an independent audio facility in Burbank.

The spatial separations between the work sites of various production personnel can serve as a metaphor for the compartmentalized nature of their work. Commercial television production at the network level is enacted by a team of specialists whose abilities are interdependent but seldom redundant; and the work they do alternates between periods of individual, isolated effort and ones of collaboration. Contrary to Manuel Alvarado and Edward Buscombe's (1978, p. 7) claim that this kind of task specialization results in fragmentation, with participants claiming they don't get much feedback about their work, within the Picket Fences production group there were abundant occasions for collective meaning-making; indeed, few people's actions remained apart from some kind of input or evaluation by others.

Each episode began with writing, and according to the writers of Picket Fences, even that seemingly individualized activity was usually complemented with group interaction which one writer characterized as "a process of cross pollination" (Personal interview with a Picket Fences writer, January 12, 1995). Some scripts began in executive producer David E. Kelley's imagination, and he would write a "limited" version to solicit feedback from staff writers and producers at a story meeting. At other times, Kelley would develop a "beat sheet," presenting an overall narrative and suggestions for the four acts of a screenplay, and then a writer would be assigned to develop each act. Still other script ideas might emerge from an initial story meeting attended by the writers and,

sometimes, Kelley, who then authorized the development of the script by an individual writer or a writing team. And yet other scripts might originate with a single writer who produced a story outline submitted for consideration to Kelley, and who may then be asked to develop a first draft. Thus, while the writing itself must, by necessity, be completed by individuals working alone with their computers, there were usually occasions for collective planning and feedback as a script developed.

However, perhaps unlike other dramatic series, each Picket Fences script was extensively rewritten by Kelley alone, although he would solicit feedback from the team of producers during story conferences. The staff writers of Picket Fences were well aware that Kelley was eminently in control of each script. In an interview, one of the staff writers explained that on other dramatic series, "the writers are not re-written," and they often "shepherd" the episode through the editing stage. In contrast, with Picket Fences the script was inevitably fine-tuned by Kelley and executed under the supervision of Kelley and his producers (Personal interview with a Picket Fences writer, January 17, 1995). Another writer confirmed this: "This show is not typical in terms of writing; it's a lot more structured. David likes to work off [revise] the rough first draft himself. He's unusual in this respect, in that very few executive producers like to write like David does" (Personal interview, January 26, 1995).

Once a script was polished, a series of meetings were held to "prep" or prepare the episode for production. Key personnel would attend each meeting where responsibilities were delegated, and subsequently, each would fulfill those obligations working alone. During these meetings many questions were raised that were definitively answered by the

supervising producer with little debate. However, these sessions could also be occasions for creative brainstorming.

For example, during one wardrobe meeting, the women's costume supervisor, the episode's director, and the supervising producer collectively arrived at guidelines involving clothing to be used in a scene involving the program's central characters Jill and Jimmy Brock, their children, and a laundry basket:

Costume supervisor: Most of Jill's clothes are of the dry cleaning variety, not the laundry variety, so there's a problem if she is seen pulling her clothes out of the basket.

Director: So she never has anything in between [i.e., anything other than dry cleaned clothing]?

Producer: Not to go to work.

Costume supervisor: Could she wear lingerie in the scene?

Producer: She [actor Kathy Baker] wouldn't be comfortable with that. After further discussion, they decide Jill will wear a bathrobe in the scene.

Director: Would Tom [actor Tom Skerritt, who portrays Jimmy Brock] feel comfortable putting on a shirt in the scene?

Producer: As long as we don't see him bare-chested. He wouldn't like that.

Costume supervisor: How about leggings for Kimberly [the daughter of Jill and Jimmy Brock] in this scene? Leggings are more her look.

Producer: That would be cute.

Costume supervisor: If the pile of clothes in the basket mixes darks and whites, Jill's going to look like she doesn't know how to do laundry [i.e., the need to separate colors].

After further discussion, they agree the basket should contain more than one load of clothes, so it makes sense that there will be assorted colors.

(Discussion during wardrobe meeting for "When in Rome" episode, January 6, 1995)

This seemingly mundane discussion, one of dozens that were routinely enacted during episode prepping, illustrates a moment of collaboration, albeit one nonetheless guided in certain ways by the supervising producer's responses.

The post-production process for Picket Fences involved extensive editing followed by the recording and mixing of "non-production" (non-set) sound which included music and background tracks. The extent of collaboration involved in these activities varied. For example, during principal actor "looping," key performers re-recorded dialogue in a sound studio while viewing the footage in which they originally performed the lines. The goal here was to clean up the sound and, artistically, to add nuances and inflections to line readings which had been requested by the producers. In such cases, there was little opportunity for collaborative creativity, because actors were responding to specific directions--although some might "balk" for artistic reasons. In such instances, it helped to invoke the name of David E. Kelley, as one producer explained after a session with a slightly recalcitrant performer: "You can only push him so far. I told him the script note came from David; it actually came from [another producer], but I won't tell him that

It's more likely it'll get done if it comes from David" (Personal interview with a Picket Fences producer, January 11, 1995).

In contrast, "group looping" was an eminently collaborative activity involving off-screen performers who produced background sound tracks, such as body sounds timed to the physical movements of performers on screen, "presence tracks" to cover such sounds as breathing and shifting of weight, and dialogue for background performers who were visible in the footage. Suggestions for many of these sounds came from the program's producers, who had passed along "loop notes" to the producer in charge of this post-production activity. But the performers themselves created other sounds, for example ad-libbing comments made on-screen by secondary actors who, during production, had pretended to talk while recording production sound.³ One member of the looping team estimated that about 75 percent of the work they did in Picket Fences resulted from their own creative ideas--although their input was always subject to the approval of the producer and sound technician present for these sessions (Personal interview with a loop performer, January 4, 1995).

For example, during one observed looping session the group was working on a courtroom scene involving several spectators and police officers in the gallery. The producer gave initial directions for the scene: "We'll do some coppage [standard law enforcement talk] here; pretty light on the specifics [specific lines of dialogue]." But as the group watched the scene play to prepare for their looping, the actors called the

³ For the purpose of control, only principal sound--the scripted dialogue uttered by key performers--was recorded on the set and on location, using body and boom microphones. All other sound was added during post-production.

producer's attention to the fact that there were several "specifics" visible on screen, as the camera panned the courtroom and individual background performers were seen talking with one another. The actors proceeded to single out the extras who were visible and assign particular members of their looping team to cover those voices. During the series of recording "takes" that ensued, these actors improvised lines of dialogue and also decided among themselves when they would begin and finish speaking during shots. The producer responded to each take, instructing the performers to provide "gallery-type snickers" at one point and at another, calling for a performer to interject a "more incredulous" tone to his voice to match the on-screen performer's facial expression. The looping for the scene ended with the producer's declaration that it was acceptable (Discussion during Picket Fences looping session, January 4, 1995)

Like looping, editing involved a mix of producer-directed and collaborative decision-making. The typical Picket Fences episode underwent a series of "cuts," resulting in distinct edited versions. First the editor produced an "editor's cut," which was an initial assemblage of footage that closely followed the script. Here, the editor was guided largely by the written dialogue, although the fact that multiple "takes" or recordings had been made of each shot allowed some creative discretion by the editor. Next, the editor and director worked together to revise this version, resulting in the "director's cut." Once this was completed, the director's input on the episode ended, and several "producer's cuts" would follow, as version after version was screened by Kelley and his producing team in their offices, and notes for revision were returned to the editor. In responding to these notes, the editor would spend hours working alone as well as

extended periods re-editing in the presence of the line producer who was directly responsible for the episode.

Although closely supervised by the line producer, these editing sessions nonetheless afforded opportunities for collaborative decision-making. For example, during one observed editing session, the producer and the editor were working on a scene between Carter Pike, one of the principal characters, and Marla Melrose, a guest character who was romantically linked to Carter in the episode. As scripted, the characters were gradually to become aware of the others' interest in this scene, and the editor and producer were trying to enhance this emotional subtext. At the outset, the producer gave this guidance: "David [E. Kelley] wants this scene addressed in a way that makes it more charged. We're sort of breezing through it. What's missing is her holding a look, [suggesting] 'Could this man be that special?'" During the twenty minutes that followed, the editor proceeded to re-edit the scene, inserting more of each character's close-up. In effect, at each edit point the editor added frames to the "heads" and "tails" of the close-ups, thereby adding microseconds of silence--and enhancing character reaction time--between lines of dialogue. Throughout this process, edits were reviewed and the producer occasionally asked for more frames to be added. He also periodically solicited the editor's thoughts, with such comments as "Are we getting it?" At the end of a full pass through the scene, the producer and editor reviewed their work, and this brief discussion followed.

Producer: It's certainly a different scene now.

Editor: Yeah, it's much better.

Producer: Let's see it again. . . . What do you think?

Editor: I liked the time span. I felt I could get inside them more.

Producer: That's for sure.

(Discussion during Picket Fences editing session, January 18, 1995)

As these examples have shown, the work of production specialists in the making of a television series alternates between individual, isolated effort and moments of communicative collaboration. Within the Picket Fences production group some clusters of personnel would interact regularly in creative consultation with one another, including the writers, production personnel prepping the episode, loop performers, and editors, although in all cases the approval of their suggestions and creative actions remained in the hands of the program's producers. Dialogic collaboration was undoubtedly an authorial force shaping the creative process at this work site; however, all such interactions nonetheless remained "structured in dominance" (Eason and Fogo, 1988, p. 4).

Institutional Constraints as an Authorial Force Shaping Picket Fences

Like other television series, the Picket Fences production process was inevitably shaped by institutional and industrial forces beyond the direct control of production personnel. These included both time and budgetary constraints which dictated some creative decisions.

The data reported in this paper were gathered during a month-long on-site ethnographic investigation when the series was in its third season on the air. During this observational period, production personnel were at various stages of work on five

episodes. While it is common in the television industry to have two episodes simultaneously under development, the Picket Fences production team was experiencing severe time pressures necessitated by script delays. For example, the pre-production process for the "When in Rome" episode was condensed to four days rather than the more typical seven days allotted in the master production schedule for this activity. Similarly, post-production personnel were juggling three episodes simultaneously during this observational period.

An inevitable consequence of these time constraints was the imposition of some technical limitations on the work that could be done. One such example occurred on the set late one afternoon during production of the "When in Rome" episode. The crew was working on the opening scene for the episode, in which the two Brock sons, Zachary and Matthew, are arguing over a table hockey game while their parents, Jill and Jimmy, are trying to intercede. This scene offered sound recording challenges, given the number of people who were speaking lines in a short period of time. The work was laborious, and tensions were showing. At one point, the director spoke with the sound mixer about a possible change in the miking pattern. After explaining her idea, she asked: "Can you do it?" The sound mixer replied, "It depends on how much time you have." The director said, "That answers my question," and the idea was discarded. Several minutes later, the sound mixer complained to the assistant director, "I need about six takes to get this right." The A.D. responded, "Just get the foreground sound. We'll fix it in post." This phrase, "we'll fix it in post [production]," was heard several times on the set, when some detail of production wasn't quite working out. Understandably, the post-production people were

somewhat critical of this attitude, for it meant they would be expected to compensate for production problems. Nonetheless, it was understood by all that time would not allow unlimited takes and therefore, some compromises would have to be accepted.

Like time, money was also a finite resource affecting creative decision-making within the Picket Fences work group. According to the show's producers, the budget for Picket Fences had reached approximately \$1.4 million for each of the 20-22 episodes produced in 1994-1995, the program's third season on the air. That figure allowed for "one day out" [on location]; if additional location work was needed, other areas of the budget were reduced, such as casting or set construction. Another way to accommodate additional costs in one episode might be to limit the production expenses on other episodes. For example, the "When in Rome" script required two days on location, which could be accomplished because several previous shows had used minimal exteriors, as explained by a production manager:

We've been in for a lot of episodes; the writers kept us in. So now we can afford two days out. In any race there has to be a certain amount of pacing, and there are times when you want to go out and make it look really good. (Personal interview with a Picket Fences production specialist, January 12, 1995)

Nonetheless, it was evident that budgetary constraints affected both the casting of guest performers and the "look" of the program. For example, during a story conference for the "Heroes and Villains" episode, the casting director, the director, and the producers

were generating a list of possible actors to portray the role of a special prosecutor and speculating about whether each would be interested in the role:

Producer: The problem is, if you read this on the page, it doesn't jump out as a role that someone would say, "I've got to do this."

Director: How do actors usually respond to casting inquiries for the show?

Producer: We get dangled because of the position of the show. They like David, so we get dangled [not rejected but not accepted outright]

(Discussion during a Picket Fences story conference, January 23, 1995)

In this exchange, the reference to "the position of the show" suggests that the series did not have the cachet of higher-rated series. That cachet may have been a matter of visibility, but it was also a matter of the salary that the series could afford to pay its guest stars--a point which the CBS Director of Prime Time Programs also made in discussing the series' budget (Personal interview, January 19, 1995).

The time and budget constraints within which the Picket Fences production group operated were probably not uncommon within the television industry. Nonetheless, the consequences of those constraints shaped this program's content in specific ways. First, the limitations on location shooting meant that most episodes were shot on the three sound stages where Picket Fences sets were permanently assembled. As a result, a cluster of specific locales were likely to become very familiar to regular viewers through their frequent use: the Brock home, Judge Bone's courtroom, the sheriff department's offices, and Jill Brock's medical practice. Second, as a consequence of budget limits, few episodes had guest performers with significant name recognition for the average television

viewer. This perhaps functioned to keep the spotlight on the recurring characters. Finally, again due to budget, the series seldom relied on special effects to create viewer interest; instead, the written words--and the recurring cast of characters who uttered them--were paramount in this program. The result of these institutional constraints was a largely interior drama that emphasized familiar locations over exotic locales and character over action.

The Authorial Authority of David E. Kelley Within the Picket Fences Work Group

Notwithstanding the occasions of creative collaboration and the influence of institutional factors on the work process, the content of Picket Fences was perhaps most consistently shaped by the clear hierarchical structure within the production group led by six producers--one associate producer, two line producers, one supervising producer, and two executive producers--who diligently scrutinized the efforts of other personnel within their respective jurisdictions. This structure is consistent with the findings of other organizational studies which have examined the television industry, including Alvarado and Buscombe (1978), Burns (1977), Elliott (1972), and Ettema (1979).

In theory, the producers for Picket Fences performed complementary, differentiated functions: the associate producer was in charge of post-production sound, the line producers alternated in taking full responsibility for an episode, especially guiding it through the editing process, the supervising producer coordinated all of the activities involved in prepping each episode prior to production, the co-executive producer served

as liaison with the principal performers and oversaw the other producers' work; and the other executive producer was David E. Kelley, whose key responsibilities involved developing scripts and reviewing post-production work in concert with the other producers. But in reality, Kelley's overarching influence seeped into the daily practices of all production personnel, whether in the form of actual interventions by Kelley or as a post-structural discursive force that permeated the perspectives of production participants.

Kelley's actual power within the production unit was clearly a function of his position as owner of the company and executive producer of the series. In that capacity, Kelley had the authority to hire and fire, even though, as one production participant noted, very few had ever been "asked to leave" in the series' work history (Personal interview with a Picket Fences production specialist, January 23, 1995). Consistent with classic organizational theory, Kelley cemented his authority by regulating his direct contact with other production participants: while his team of producers experienced regular interaction with him within their suite of contiguous offices, Kelley rarely stopped by the set or visited the post-production facilities. As a consequence, these producers routinely served as conduits for suggestions and questions between Kelley and the rest of the staff. As Charles Perrow (1972, p. 113) has argued, these variations in access to the person at the top of the organization contribute to the relative power experienced by subordinates. In this instance, the authority of the other Picket Fences producers was affirmed by their relatively open access to Kelley as compared to others within the company.

However, beyond this kind of formal authority that accrues to the leaders within any hierarchical organization, Kelley was also firmly in charge of the written text which,

for Picket Fences, was perhaps the single most important program component. As discussed previously in this paper, the writing process for this series afforded occasions for collaboration among its staff writers and certainly opportunities for individual writers to make creative contributions during the script development process. However, Kelley retained ultimate control over each script by authorizing drafts, writing many himself, and in all cases, personally shaping the final version: according to one producer, Kelley "insists on polishing every script" (Personal interview, January 3, 1995).

Kelley would continue his participation throughout the production process, although that involvement was typically maintained through written communiqués and responses relayed through his team of producers. The script--and more specifically, the written dialogue--was considered inviolate within the production unit, and any deviations from it needed Kelley's explicit approval. For example, during filming of the "Close Encounters" episode, the script supervisor mentioned to the director that an actor had been changing a line during various takes; the director indicated that she'd make sure it was done correctly, saying "It's going to be right, because . . . we don't have any other choice" (Discussion on the set, January 9, 1995). At a later time, a production participant explained the implicit rule understood by everyone within the production unit: "This is a show where the writers' words are the most important thing. You have to be word perfect with David. . . . Our script supervisor needs to have every line change okayed by David" (Personal interview, January 4, 1995).

A similar edict applied during editing, where editors were observed revising various cuts of an episode in accordance with written instructions from Kelley. During

such a session, the editor would work on the episode scene-by-scene, first reading Kelley's handwritten notes on a copy of the script and then attempting to re-edit to make whatever change he had requested.

Kelley's comments tended to be of two types. First, in some cases the line of dialogue on screen was not identical to the line in the script, and Kelley's written remark would instruct the editor to insert the exact dialogue as scripted. For example, at one point in the script for "Mr. Seed Goes To Town," Jimmy Brock was supposed to say, "The law is evidently on her side. Why put the kids through this ordeal?" In the version which the editor was revising, the performer had changed the line to "Why let the kids go through this?" Kelley had circled the line in the script as a way of noting the word change, his shorthand message that the editor should make the correction. In other cases, Kelley would request a change in tone, or the emotional mood delivered in the scene. At one point in the same editing session, for example, Kelley had written "more hurt" next to a character's line in the script. Responding to this directive, the editor reviewed the various takes containing that line in an effort to find the actor's reading that revealed that feeling most strongly. At times, the choices on film did not allow the editor to make the change that Kelley wanted. In such instances, the editor would "talk back" to Kelley, writing on the script "not in any takes" or "we tried, doesn't exist." If the editor was able to make the change, the editor wrote a check mark next to Kelley's comment, indicating that she had responded to his directive.

In other editing sessions, the line producer might work with the editor on the revision. Here, too, Kelley's responses were often the impetus for re-editing, as indicated by the following commentary observed during various editing sessions:

- Do we have another take of her in which 'drop dead' is more straightpan? David wants it.
- David wants this scene addressed in a way that makes it more charged.
- David wants to extend the awkward rejection implicit in this scene.
- David doesn't like Jill and Brock [characters Jill and Jimmy Brock] there [in this scene] because it's not their hour; they're not a story point. My response is that we don't get to see them in a loving relationship very often, so . . . Let's leave them in and trim the shot, so they're more incidental [in the scene]

During the final stages of editing to "lock" an episode, extensive changes to the script would sometimes occur, with scenes re-arranged or even deleted. This was done for both artistic and technical reasons: to strengthen pacing and to meet the length necessary for the episode to air within its hour-long time slot. These changes would be authorized on the spot by the line producer and the co-executive producer, but they were also inevitably subject to Kelley's approval, typically reported by the co-executive producer who relayed such messages as "David is OK with Act 3" while going back and forth between the editing suite and Kelley's office.

Thus, throughout the shooting and editing phases of the work process, Kelley continued to scrutinize the developing episode, and production participants scrupulously

attended to his reactions and directives. This was also the case during sound mixing, the other major post-production activity. Although he was seldom present physically during writing, shooting, or editing sessions, Kelley's authorial authority was nonetheless asserted.

Even beyond explicit communiqués, Kelley wielded power as a discursive entity permeating the talk of production personnel. For example, when three different writers were asked to discuss key characteristics of the program, they articulated their understanding of Kelley's sensibility as an unprompted part of their responses:

- Question: Tell me about how you develop a typical script.

Answer: In developing the script [for the "Saint Zach" episode] I started to think about stigmata--a good Picket Fences idea in that it's something you can find a rational explanation for, but you can also find a supernatural explanation for. That's David's template: that seemingly strange, supernatural, miraculous events will happen, and eventually a rational explanation will emerge.

- Question: Does Picket Fences have an overall philosophical point of view?

Answer: David likes to say the show poses questions rather than finds answers, which is what any worthwhile show should do.

- Question: How would you characterize the way Picket Fences presents discussion of topical issues?

Answer: TV has an obligation . . . to give voice to people. David gives legitimacy to people who liberals think are not on the side of the angels, to

people who find technology to be sacrilegious, for example. When you give voice to these people, you make things grayer, and that gives dramatic tension to the show. David says, "Let's come look at the child molester: isn't he human, too? Isn't he someone's son?"

During interviews, other production participants indicated that they saw themselves primarily as functional conduits for Kelley's artistic expression:

- From an assistant director: My job is to best implement David's vision on the set.
- From a producer: We know David's taste and sensibilities. Our job is to make sure that carries through.
- From another producer: We are really realizers and facilitators of David Kelley's vision.

Such references to Kelley's "vision" or artistry by production participants at times contained an element of mystification, as they expressed a sense of wonderment at Kelley's ability to produce script after script while maintaining what they saw as a high level of artistic excellence. In essence, they were articulating a Kelley "mystique" which critics, too, had sometimes expressed in their reviews of the program--perhaps an indication of the post-structuralist argument regarding the influence of widely-circulating cultural discourses upon participants' views. The following remarks are representative:

- From a wardrobe specialist: David Kelley's trying to give the audience the highest quality they could possibly have. So it almost makes what we go through worth it because the quality is there, you can see it

- From a writer: David's just a genius. I've worked with a lot of people, but he's amazing.
- From a producer: What keeps the show going is David Kelley. His motives [for writing] stem from stories he wants to tell. Maybe there are 100 stories to tell--and that would be five years [of production], but I don't know, it depends on David.
- From a production manager: The show is like a house. David is the keeper of the foundation. Within the rooms, there may be remodeling at different times. The set dressings will change, but the foundation will forever stay the same.⁴

As these examples indicate, among the Picket Fences production personnel, an authorial ideology was at work, expressed as a belief in Kelley's consummate talent and an understanding that their own creative contributions were in service to Kelley's artistic vision. This is not to suggest that individual production specialists had no opportunity to assert their own artistic sensibility, for they did, as examples throughout this paper illustrate, but it does suggest that Kelley was uniformly understood as the pre-eminent creative authority--the *auteur*--within this nonetheless collaborative and industrial

⁴ In published interviews, some production participants were even more effusive in their praise for David E. Kelley's creativity. For example, staff writer Ann Donahue compared Kelley to basketball legend Michael Jordan, stating "I'm working with arguably the best writer in TV today. Not to denigrate the others, but Kelley is Michael Jordan. Those others are the Magic Johnsons and Larry Birds. I know I'm in rare air" (Kiesewetter, 1994, p. F 1). In another article, actor Tom Skerritt placed Kelley in the same artistic category as the greatest musical composers--and God: "As an actor, I'm in heaven. We refer to David as 'Allah.' He writes Picket Fences like Mozart wrote music. It pours out of him" (Grahne, 1993, p. H 43).

enterprise. Kelley actively demonstrated that authority through his ongoing attention to all phases of the production process, although the manifestation of his authority was only partly corporeal and instead largely discursive within the Picket Fences production group.

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Influenza Epidemic

**The "Forgotten" 1918 Influenza Epidemic
and Press Portrayal of Public Anxiety**

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If you have a tummy-ache,
It's the Flu!
If you're weary when you wake,
It's the Flu!
Is your memory off the track?
Is your liver out of whack?
Are there pimples on your back?
It's the Flu!
Are there spots before your eyes?
It's the Flu!
Are you fatter than some guys?
It's the Flu!¹

**The "Forgotten" 1918 Influenza Epidemic
and Press Portrayal of Public Anxiety**

Mainstream news media as well as scholars often use the idea of a shared "American anxiety" in their analyses of events and trends, attributing to such collective ideas everything from shifts in political philosophy to changing themes in popular culture.² Unfortunately, no one has looked historically at how American mass media depict public anxiety. Why would an understanding of such coverage be important? Schudson says that the press "participates in the construction of the mental worlds in which we live, rather than in the reproduction of the 'real world' we live in relation to,"³ and in fact argues that the press is the most "representative carrier and construer and creator of modern public consciousness."⁴ Through mass publication, news media give these constructed mental worlds "a kind of priority, a certification of legitimate importance" for everyone.⁵ Anxieties of social symbolic importance could be a part of such content. Thus, examining historically how mass circulating news media portrayed Americans' fears might offer new insight into the theoretical concept of American collective consciousness and

memory, which, according to Connerton, commonly legitimate a social order,⁶ and should help in understanding the complexities of an evolving American culture.

This study takes one small step toward that goal by examining news articles in American periodicals during and after a domestic crisis in American history that scholars agree should have made the public significantly anxious, the influenza epidemic of 1918. This is not a quantitative analysis but an attempt to examine news content as primary source, in context, to better understand part of a shared public consciousness. The purpose here is to analyze references to and coverage of the epidemic in 1918, 1919 and 1920 in American periodicals to see if and how anxieties were portrayed. Magazines are the chosen medium because of their prominence and popularity in the era and because they were the only medium to reach a truly national audience in the years examined. Thus, this study seeks answer the question: How did American magazines portray anxieties about the 1918 influenza during and after the epidemic?

Crises both foreign and domestic

Of course, the flu epidemic was not the only crisis facing Americans in 1918; President Woodrow Wilson had already led the United States into global conflict in April 1917, "with the bulk of American press opinion behind him."⁷ The war was considered to be the defining episode of a generation, but as American troops began fighting in France, war of a different kind was being waged at home. The influenza pandemic of 1918 has been compared to the worst epidemics in history. "Indeed," D. Ann Herring writes in *Ethnohistory*, "it ranks with the Black Death and the Plague of Justinian as one of the most destructive human afflictions known."⁸ The disease: came on without warning, heralded by a sudden shivering, severe ache in the head and eyeballs, and pain in the legs and kidneys, followed by collapse. High fever set in rapidly, coupled with a hacking cough that not uncommonly produced thin, rusty sputum. When faces turned an ashy purple...death was usually imminent.⁹

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In 1918, such influenza infected one-fifth of the world population and killed some 25 million people, including an estimated 600,000 American citizens. One of the more disturbing elements of the epidemic, according to Jane Brox, was that it struck hardest adults between 20 and 40 years old, "the young and healthy who had never been sick in their lives. Just yesterday they had worked a full day."¹⁰ Joann P. Krieg writes in the 1992 Epidemics in the Modern World: "Only the more senior citizens recall the epidemic from personal experience, and when they do almost without exception they remember someone young who died that year, not in the war but in a sweat-soaked bed, with a raging fever."¹¹

But Krieg also observes that this remarkable episode in American history was largely ignored in art and literature due in part to "national pride and economic fear."¹² And in Epidemic and Peace, 1918, Alfred Crosby notes that Americans were not awed by the epidemic either in person or in memory.¹³ Why did the war become part of collective American memory, while this terrible pestilence went largely forgotten? Both would have made Americans anxious; both should have been memorable, especially in terms of loss of life. Will press coverage of the epidemic offer clues into this lapse in public memory?

Public memory

Public memory, of course, is not simply about the past, but is a "body of beliefs about the past that help a public or society understand both its past and its present, and, by implication, its future."¹⁴ John Gillis argues that memory is not a fixed thing, but merely a representation or subjective construction of reality.¹⁵ Such memory could be distorted, even manipulated. As Michael Kammen writes, "The distortion of memories can, indeed, serve as a panacea for an age of anxiety."¹⁶ Yet Kammen argues that the reasons for such distortions, even public amnesia, are perhaps more complex.¹⁷ For example, one reason could be nationalism, necessary for political

and cultural cohesion;¹⁸ another could be because distortions "bring about necessary readjustment of values or value systems that are out of synch -- anomalous -- in a particular time and place."¹⁹ The influenza of 1918, for whatever reason, has become lost to public memory, and media coverage of the epidemic and its aftermath might offer clues to this loss.

The press, in fact, could have played an inadvertent role in the memory suppression of the influenza epidemic through its coverage. Era scholar John Dewey wrote that "signs and symbols, language, are the means by which a fraternally shared experience is ushered in and sustained."²⁰ In the early twentieth century, such signs, symbols and language were, in part, shared through mass media. Unfortunately, as Hartman warns, the mass media are not the best recorders of history: "The greatest danger to public memory is the *official story*."²¹ Schudson reminds that cultural memory is "distributed across social institutions and cultural artifacts"²² and is inevitably distorted because "memory is invariably and inevitably selective."²³ Examining selections the era press made, the symbols and language used to "usher in and sustain" the frightening experience of the influenza epidemic of 1918, might aid in understanding its collective memory suppression.

The American periodical

Magazines are used as primary sources here because, as James Carey points out, the modern era of journalism began with the birth of the national magazine and the development of the mass urban newspaper at the end of the nineteenth century, and these developments helped to create a type of collective American audience in the early twentieth century. He writes:

The rise of national or mass media... created "the great audience": a new collectivity in which we were destined to live out a major part of our lives.... This was the first national audience and the first mass audience and, in principle, it was open to all. Modern communications media allowed individuals to be linked, for the first time,

directly to the "imaginary community of the nation" ²⁴

Magazines, by the second decade of the twentieth century, had been firmly established "as a national reading habit, reaching a rapidly increasing number of audiences" and "began to be a multifaceted reflection of national life. In the periodicals could be found the opinions, attitudes, emotions, preoccupations and interests of most Americans."²⁵ In fact, as one early twentieth century observer noted, after the turn-of-the-century the mass media, "had become so greatly effective as to represent a logical point at which it (was) proper to sum up the account of man's search for and need for information about his environment and his world."²⁶ Collective anxieties would be a part of that environment and world, and were a part of magazines. As Tebbel and Zuckerman write: "New and desperate fears held by the American middle class were reflected in magazine content."²⁷

Defining anxiety in a changing America

Early twentieth century definitions of anxiety refer to uneasiness or distress of mind regarding some future uncertain event and include apprehension caused by danger, misfortune or error; concern; solicitude; disturbance; care, occasioned by trouble; foreboding; disquiet; inquietude; restlessness; misgiving; worry; mental agitation; anguish; dread; fretfulness; timidity; diffidence; mistrust; suspicion; qualm; trepidation; perturbation; and nervousness.²⁸ Anxiety, according to Crabb's English Synonymes, published in 1917, "has distress for the present, mixed with care for the future."²⁹

One era observer noted that Americans displayed such anxieties, thanks in part to rapid changes in technology. Henry Adams in 1918 wrote about the turn of the century, saying: "Prosperity never before imagined, power never yet wielded by man, speed never reached by anything but a meteor, had made the world irritable, nervous, querulous, unreasonable and

afraid."³⁰ Historian T.J.Jackson Lears examined what he calls the "transformation of American culture" from 1880 to 1920 and wrote of "signs of strain, cracks in the surface of official optimism."³¹ He wrote: "Among educated Americans there was a growing sense of dis-ease, a barely articulated feeling that denial and evasion were inadequate strategies for containing the unprecedented social and psychic conflict in the emerging industrial society."³² The press likely aided in that collective notion with its coverage. In fact, Cooley, another era observer, expressed concern about the influence of the media on crowd psychology. In 1909 he wrote that the press allows "contagion to work on a larger scale than ever before, so that a wave of feeling now passes through the people... very much as if they were physically a crowd."³³ Thus, an examination of mass media content could offer evidence of such "waves of feelings," including anxiety, among Americans.

Distribution of ideology

In fact, the periodicals examined for this study might have actually helped distribute a type of ideology to their audience. Framing theory helps scholars understand how that distribution would work. For example, Todd Gitlin argues that the media "specialize in orchestrating everyday consciousness -- by virtue of their pervasiveness, their accessibility, their centralized symbolic capacity...the mass media produce fields of definition and association, symbol and rhetoric, through which ideology becomes manifest and concrete."³⁴ He defines frames as "principles of selection, emphasis and presentation composed of little tacit theories about what exists, what happens and what matters."³⁵ Zhongdang Pan and Gerald M. Kosicki explain framing as an approach to news discourse. Building on the theories in Erving Goffman's *Frame Analysis*,³⁶ they conceive of news discourse as a sociocognitive process involving "sources, journalists and audience members operating in the universe of shared culture on the basis of socially defined

roles."³⁷ Because of this relationship between news framing and shared culture, the presentation of any type of news story is intrinsically linked to memory, culture and collective meaning. Thus, this study will examine magazine articles about the epidemic, emphasizing areas of emphasis and selection, and will keep in mind devices that scholars believe signify the use of media framing³⁸ in terms of how they might construct reality. Schudson, in his "Dynamics of Distortion in Collective Memory," offers a starting point for this analysis by listing a catalogue of forms of the distortion of collective memory, including "distanciation," "instrumentalization," "narrativization" and "conventionalization."³⁹ Distanciation involves the reshaping of memory through the passage of time, including loss of detail and emotional intensity. As living memory fades, "the only memories that remain are those culturally institutionalized."⁴⁰ Instrumentalization occurs when memory selections distort to promote present interests, and narrativization when the past is simplified and "encapsulated into some sort of cultural form," a narrative with a beginning, middle and end.⁴¹ Conventionalization refers to the past that is made rather than experienced, preserved by powerful social institutions.⁴² Scholars agree the influenza epidemic of 1918 should have made the public significantly anxious and should have been remembered. However, because this terrible plague did not inspire awe in Americans, either in person or memory, this study will analyze media coverage of the event using era definitions of anxiety and the framework of these forms of distortion. Included will be all 58 articles listed in Readers Guide to Periodical Literature, volumes four and five, under the heading "Influenza" for the years 1918 (the height of the epidemic), 1919 and 1920.

Coverage of the epidemic

Coverage of the 1918 influenza epidemic in magazines indexed in Readers Guide began that September when Literary Digest offered predictions about the severity of the "so-called

Spanish Influenza" which "authorities agree that we shall not escape." Though an outbreak seemed inevitable, the magazine reassured readers that "usually crisis has occurred after two or three days, with rapid and complete recovery" and that the disease would bring "no serious consequences to the young and healthy."⁴³ Even with such seemingly optimistic predictions, the magazine began a theme, or framing device, that would continue throughout coverage of influenza for the next two-and-a-half years, an anxiety about the lack of understanding of the nature and cause of such epidemics.⁴⁴ To try to calm reader worries about contracting the flu, the periodical Science offered descriptions of influenza, its mode of transmission, treatments and methods of control. It warned that "during epidemics persons should avoid crowded assemblages, street cars and the like" and promoted "education as regards the danger of promiscuous coughing and spitting."⁴⁵

By October magazines such as The Survey, Literary Digest and The Independent had begun framing the epidemic in much more anxious terms, calling it "appalling,"⁴⁶ an "enemy," a "mysterious malady,"⁴⁷ a "pandemic disease,"⁴⁸ a "momentous peril,"⁴⁹ and a "scourge" that was "stalking" through the nation and "taking a ghastly toll from the whole population."⁵⁰ Articles described the desperate measures some cities had begun taking to control the spread of the disease, including adjourning courts; banning the sale of liquor; canceling public assemblies; closing industrial plants at varying hours to allow working populations to leave for home gradually without overcrowding; closing theaters, schools, soda fountains, bowling alleys, saloons and auction rooms; and finally asking that church services be discontinued. These articles, too, told readers about efforts of health officials to mobilize; shortages of and sickness among doctors and nurses; problems with burying the large number of bodies; insufficiency of hospital beds and dispensary facilities; efforts by Congress to appropriate funding to fight the disease; fears that pneumonia would be a natural progression of the disease; the establishment of automobile services and

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cooking arrangements to feed the sick and health care workers; and worries about the inevitable problem of dealing with orphans and broken homes.⁵¹ As one article reported about that situation in Massachusetts:

It is impossible to give the total number of orphans and half-orphans resulting from the epidemic, but it is certainly not small.... Stories like this are now coming in: Ten mothers or fathers dead in one block; twelve applications in thirty-six hours to the Overseers of the Poor from as many widows, all of whose husbands were under thirty and leaving families ranging from two to six each.⁵²

Despite such grim reports, the magazine articles met perceived public anxiety with words of encouragement. They spoke of the optimism of health authorities that the epidemic would soon be under control⁵³ and warned readers that worrying about influenza was more dangerous than the disease itself. Literary Digest wrote:

Furthermore, the *Boston Globe* and other journals point out "fear is our first enemy," and "whether he fights a German or a germ, the man who worries is already half beaten." There is no excuse for panic about this epidemic if we all do our share to help stop it and we are reminded that "from battle to disease the cool fighter wins." The way to handle this influenza situation, according to the *Hartford Courant*, is to "think of something else."⁵⁴

And perhaps to further quell fears, magazines also reassured readers that the epidemic was nothing new. Wrote The Independent: "We say *once again* because the affection has occurred as a pandemic frequently since the sixteenth century, that is, as long as the records of such diseases have been kept... There were no less than four pandemic influenza periods in the 19th century.... The affection does not as a rule, even in its pandemic form, much increase the general mortality."⁵⁵

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Of course, readers were likely terrified about catching the often-fatal disease, and so articles repeated the Surgeon General of the United States Army's recommendations for evading contagion, including: avoidance of crowds; smothering coughs and sneezes; breathing through the nose; cleanliness; paying attention to body temperature when walking, riding and sleeping; opening windows; choosing and chewing food well; and washing hands before eating.⁵⁶ Spreading helpful information, not rumor, was what the press was supposed to do,⁵⁷ and in subsequent months the periodicals wrote of methods of prevention, progress in the search for a vaccine and efforts to better organize health care and government agencies to fight the illness.⁵⁸

By November, however, the North American Review was accusing the government of "unreadiness, indecision and delay" despite the fact that the epidemic's "threatened invasion was heralded in advance." The public, the magazine said, had every right to expect the same heroic efforts made a generation earlier to ward off yellow fever. However, the article said:

We must regard with amazement and reprobation the apparent apathy and helplessness of the authorities, and also, we regret to say, the indifference -- if indifference it was -- of the public press...It has been an exhibition of unreadiness, of ineptitude, of either apathy or cowardice or both, unrivalled in the history of the nation.⁵⁹

Literary Digest accused port authorities of being lax and thus responsible for "an invasion that has caused more deaths among peaceful citizens than the deadly weapons of the enemy have effected on the front of battle." It quoted another publication's charge that port authorities should have isolated ships carrying infected passengers "with every soul on board until the slightest possibility of carrying infection ashore had been removed."⁶⁰ As a general rule, magazine articles did not blame doctors for their lack of ability to control epidemic, though the poem which began this

study, published in 1918, used humor to address anxiety and poked fun at overworked doctors who misdiagnosed the flu.⁶¹ One physician, writing for The Survey about a meeting of the American Public Health Association in Chicago, did offer "a general confession by the public health authorities of a continent." He wrote, "The health authorities themselves are not clear where they stand nor what is to be done."⁶² He quoted a military physician from Ann Arbor, Michigan, who said: "The saddest part of my life was when I witnessed the hundreds of deaths of the soldiers in the army camps and did not know what to do. At that moment I decided never again to prate about the great achievements of medial science and to humbly admit our dense ignorance in the case."⁶³ This article, too, warned of the dangers of a fearful public and quoted the health commissioner of Chicago: "It is our duty to keep the people from fear. Worry kills more people than the epidemic. For my part, let them wear a rabbit's foot on a watch-chain if they want it and if it will help them get ride of the physiological action of fear."⁶⁴

The year after the epidemic, the number of magazine articles about it decreased slightly, from twenty-six in 1918 to twenty-one in 1919. In the wake of the disaster, such articles expressed anxiety, asking "Will the Influenza Come Back?" and looked to histories of past epidemics to predict that it probably would.⁶⁵ The American Review of Reviews said: "It is not as yet possible to assess even approximately the extent of the loss which influenza has brought and will bring to the country before the sickness and death rates are freed from its malign influence."⁶⁶ However, in the early months of 1919, articles in scientific and other journals listed census and American Public Health Association statistics of deaths from influenza and pneumonia in an attempt to grasp the loss both in life and economic cost.⁶⁷ These 1919 articles continued the anxious theme begun in 1918 that the disease was "mysterious,"⁶⁸ a "sphinx,"⁶⁹ and that doctors and other authorities had a

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"hopeless, helpless attitude" about it.⁷⁰ "The most astonishing thing about the pandemic was the complete mystery which surrounded it," said an article in Science. "The measures which were introduced for the control of the pandemic were based on the slenderest of theories.... Nobody can now speak authoritatively upon this subject."⁷¹

Only two articles put real faces to the story and offered narratives describing how people dealt heroically with the domestic crisis. Literary Digest offered "War Reports From the Influenza Front," likening American nurses at home to the heroes of World War I.

In the fight against influenza, which is not yet finished, devoted women have served in the front ranks and many of them, uninspired by the interest and honor that helped the dough-boy to act the hero, have gone down to death, if not unwept, at least unsung...No decorations will be bestowed on these nurses...but their names are written in the hearts of their grateful countrymen and on His Honor Roll.⁷²

This article provided accounts from nurses in Michigan, New Jersey, Connecticut, Texas, Iowa, Massachusetts and Colorado of the trials they endured in the epidemic, including one from "Miss Colon" in Luce County, northern Michigan: "We rode twenty and thirty miles at night through the deepest woods and over the roughest roads to camps, and many times we would find thirty or forty cases, sometimes ten people all huddled together, fully dressed in a tiny log cabin, all in two beds and with fevers over 104."⁷³ By May, with the worst of the epidemic safely behind, Industrial-Arts Magazine told stories of the "heroic efforts of doctors and trained nurses, and the generous response of women with home nursing experience" and praised the citizens of San Jose, California, for their donations of beds, foods and supplies:

The response was thrilling. It was a lesson in the fundamental goodness of human

nature. The people can be trusted! When a call comes, how nobly they respond: to what heights of self-sacrifice and depths of self-denial they will go! High and low, rich and poor responded, each in proportion to his resources.

"I wish I could do more," a motherly looking, thinly clad woman would say, as she made a small offering of a few potatoes, or some worn garments, or a baby's out-grown crib.

"I wish I could do more," a richly dressed woman would earnestly exclaim, as her chauffeur unloaded from her limousine her magnificent donations.⁷⁴

Most articles, however, dealt with ways to avoid the spread of influenza,⁷⁵ including one in Science that went farther than all the others and recorded "119 possibilities during the course of a day for acquiring infected material either on the hands, mouth or nose." Among this article's suggestions: "That we should abandon the universal practice of shaking hands, substituting some other less intimate method of salutation."⁷⁶

Yet, articles in 1919, as in 1918, warned readers to stay calm, and not just about the flu. The Literary Digest, for example, wrote:

Notably the general nervous unrest and upset caused by the war have been allayed since the signing of the armistice last November. On the other hand, the just as serious social unrest that is being manifested by the constant, unjustified strikes, by race-riots, and by the constantly increasing cost of living cooperate in bringing about a nerve-tension in the body politic that can not but reflect unfavorably upon the resistance of the individuals to disease.

And finally, two articles in 1919 addressed lessons from the epidemic. One concerned new methods in vocational education discovered when students were prohibited from congregating and made to work for hours at a time on one project.⁷⁷ The other, however, spoke of the "losses to the

world in emotion spent, treasure consumed and progress impeded" and worried that "mankind may largely miss the deep meaning of the lesson."⁷⁸

By 1920 the number of articles about the influenza epidemic had dropped to eleven, many framed in the same way as were stories from the previous two years. They called the flu "still mysterious"⁷⁹ and said "medical science has rarely been confronted by so strange a puzzle."⁸⁰ One article in Current Opinion worried about the dark prospect of future outbreaks and asked, "Will the epidemic find us helpless?"⁸¹ The article lamented that "we are even farther away from exact knowledge on the point than we thought we were eighteen months ago."⁸² But such lack of knowledge was nothing new, as one article remembered that Noah Webster in the late eighteenth century had attributed the flu to "electrical disturbances, not germs."⁸³ Other articles mapped the spread of the disease and used statistics to report numbers of deaths, this time breaking them down in regard to geographic location, gender, race and age.⁸⁴ Only one article, written by the chairman of the Nurses' Emergency Council for The Survey, used a narrative style to bring the story to a more personal level for readers, and its purpose was to garner support for increased training and resources for nurses.⁸⁵ Again, some articles reassured readers that this epidemic was nothing particularly special, just another in a series historically; one even claimed that "the epidemic described in the first book of Homer was probably influenza."⁸⁶ And 1920 articles, just as in 1918 and 1919, warned readers that worrying about the disease was the worst thing they could do. Worry, according to The Literary Digest, would change the quality of the blood "through secretions from various glands which are stimulated by emotions" and thus would weaken bodily resistance to disease.⁸⁷ Another article, titled "Don't Worry About the Flu" and written by a physician, recommended strong drink to ward off anxiety. "Whisky does no physical good for the

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disease and is not a stimulant, but it lifts the scare which comes over many people when they find they have influenza and this is often an extremely important element in the treatment."⁸⁸

Conclusion

Schudson warns against the notion that memory can be purposely distorted because that "assumes that there is a standard by which we can judge or measure what a veridical memory must be. If this is difficult with individual memory, it is even more complex with collective memory."⁸⁹ However, he argues, memory is inevitably distorted because it is, by definition, selective.⁹⁰ His catalogue of forms of distortion in memory and these 58 magazine articles offer clues, albeit early ones, about why this epidemic, which scholars believe should have made the public significantly anxious and should have been memorable, has been largely forgotten.

Distanciation: Though this study only traces influenza coverage in periodicals two years after the epidemic, already the passage of time was reshaping memory, in the loss of detail and in the lessening of the emotional intensity of the articles. By 1920, deaths were remembered in a clinical, statistical manner. In fact, articles told readers that their epidemic was hardly unique, that it had occurred in nearly every generation and century for 2,500 years.⁹¹ Anger at authorities had dissipated, and panic-driven discussions about the merits of closing everything from saloons to churches, common in 1918, had disappeared despite worries of new outbreaks. Even concerns about broken families and care for orphans vanished.

Instrumentalization: Coverage of the influenza epidemic from its outbreak in 1918 through 1920 did seem selective in the service of a present interest, namely to calm fear and panic. Only a few scant instances did articles seem to use the epidemic to hint at political ideas about curbing immigration,⁹² the formation of a League of Nations,⁹³ dangers of women in the work place⁹⁴ and ridding the nation of the "plague of class feeling."⁹⁵ Numerous articles did speak of the need of

better organization among medical and government officials to combat such pandemics and of the need for more nurses and doctors, though most of these articles were in the earlier stages of the epidemic. As the danger moved farther back in time, such articles diminished in number.

Narrativization: Remarkably, this epidemic was not, in the years examined, presented to the mass audiences of these periodicals in any kind of "narrative" form, based on Schudson's definitions of narrativization. In an era when journalists relied on human interest and sensationalism to sell newspapers and magazines, only two human interest articles focused on the heroic actions of either the health workers or the dead. Schudson says that "the past must be encapsulated into some sort of cultural form, and generally this is a narrative, a story, with a beginning, middle and end."⁹⁶ As evidenced by the articles examined, journalists struggled mightily to figure out a beginning to the story, going as far back as Homer, but could not pinpoint it, and they also could not recount or even predict the story's end. Narratives, to be successful, should "foreground individual protagonists and antagonists rather than structures, trends or social forces."⁹⁷ Magazine articles in 1918 through 1920 could not pinpoint a true enemy. Were doctors the protagonists, the enemy, or were they simply incompetent? Even the medical cause of the disease was uncertain, and so the germ *bacillus Pfeiffer*, was not a certain enemy. "Heroes" mentioned in the few articles that used the word were women who had "gone down to death, if not unwept, at least unsung...No decorations will be bestowed on these nurses."⁹⁸ In the America of 1919, a year before women's suffrage was granted, heroic women went undecorated, their stories untold. Thus elements of narrativization were difficult and improbable for this epidemic, negating its usefulness in public memory.

Conventionalization: Schudson says that collective memories will be strongest for those experiences attended to by powerful social institutions.⁹⁹ However, it was those powerful social institutions, both government and medical, that were criticized for their handling of the disaster and

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their lack of knowledge about influenza. Calls for stronger organizations of nurses, doctors and volunteers indicate that the people most intimately involved in the epidemic were unlikely to have been able to record and store any kind of rich record of either the caregivers or the sick. In fact, as these magazine articles indicate, records of the event were mostly limited to census figures listing the dead. And, as mentioned, the few heroic stories seemed to be about women, who were unlikely to be memorialized in any kind of public way. As Schudson says: "Culturally valued and memorialized activities are more easily retrievable than culturally denigrated, repressed or stigmatized activities. Whatever past is remembered or commemorated, it must be drawn from the available past, and availability of the past... is socially structured."¹⁰⁰

As telling as the coverage was about anxieties surrounding the influenza of 1918, equally enlightening are silences about the epidemic in some of the era's most popular journals. For example, the top circulating magazine of 1918, The Saturday Evening Post at two million,¹⁰¹ did not include one article about influenza in any of the years examined. Nor, according to Readers Guide to Periodical Literature, did other popular journals such as Good Housekeeping, Dial, Ladies' Home Journal, Harper's Monthly Magazine, New Republic, or Scribner's Magazine. Perhaps the difficulties in dealing with a baffled medical community, or the sheer magnitude of the story at a time when these magazines were covering the war in Europe and its aftermath, dissuaded reporters and editors from reporting this major domestic crisis. Perhaps stories about war, with comfortable protagonists and definable enemies, were easier for journalists to tell. In fact, in 1918 alone, Readers Guide listed 223 stories under the headings of "war,"¹⁰² compared to 26 about the influenza that took more American lives, and listed 29 other places to find still more stories. It is not surprising that the later war victory would inspire more narrativization, not to mention conventionization from the major government institutions that won it.

However, the 58 magazine articles concerning the 1918 influenza epidemic published in

1918, 1919 and 1920 indeed offer a reflection, albeit a distorted one, of collective anxieties. As the epidemic was flaring, the articles naturally reflect public worries about contracting the dread disease. But they do more. They offer hints at Americans' mistrust of doctors and medical science for not only were the physicians not knowledgeable, there were not enough doctors and nurses to go around. In an era of industrialization and mass migration to cities, they reflect anxieties about crowds, which enabled not only the spread of fatal germs but of waves of panic. In an era of mass immigration, they reflect worries about those who might bring this disease from afar. Perhaps closing the ports was the answer, or at least screening immigrant ships more thoroughly. In this era when Lears writes of the "crack in official optimism,"¹⁰³ these magazine articles even reflect anxiety about the effects of anxieties. They told Americans not to worry about race riots and strikes, about falling on the battle field or about dying from a raging fever -- all that anxiety would surely make them more susceptible, both mentally and physically, to the Spanish Influenza.

Kreig observed that the 1918 influenza epidemic was ignored in art and literature due to national pride and economic fear,¹⁰⁴ but as these articles indicate, the reasons this episode was virtually lost to public memory might be more complex. True, more media attention to World War I and its aftermath could indicate a type of nationalism (or at least a journalistic convention about the importance of war coverage), and the notion that it was unsafe to congregate would have enormous economic implications in early twentieth century America. Yet the epidemic was covered in some general interest magazines, and the warnings about assembly articulated. In the end, the nature of the epidemic itself might have caused its disappearance from collective consciousness. It had no beginning and, most frightening for Americans, no end. It offered no definable enemy, just an elusive germ. It had no heroes who could fit an early twentieth century notion of male heroism. Authority figures and institutions were helpless. There was no victory beyond survival, no national monuments or parades. Mass media play an important role in building public consciousness, yet

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journalists would have had a hard time covering such an event, building a narrative that could be publicly legitimized and remembered. Kammen says "We arouse and arrange our memories to suit our psychic needs,"¹⁰⁵ and the psychic needs of post World War I Americans likely concerned ways to deal with mass industrialization and urbanization, with world political upheaval. Remembering the inability of Americans, or others around the world, to deal with the mysterious malady of Spanish Influenza would not serve those psychic needs.

This study, of course, only examines a small slice of history in an effort to depict press portrayals of anxiety and perhaps learn something about American collective consciousness and memory. Much more needs to be done in this area to determine what other anxieties have been reflected in mass media historically and what can they tell us about a complex, ever changing American culture.

Endnotes

1. An excerpt from "That Flu Stuff," Literary Digest 59 (14 December 1918): 81.
2. For example, in March 1996 the Atlantic Monthly cited Americans' "fears that we have lost control of events" to explain shifting national political philosophies, and Time in January 1984 talked about "a wariness and anxiety in the land" about the possibility of nuclear war. Scholars of many disciplines also talk about public anxiety: Citrin, et. al., point to national economic anxiety and its effects on public opinion about immigration; Simmons argues public anxiety over juvenile delinquency was partly responsible for censorship of the film "Rebel Without a Cause;" and the "terror evoked" by another film, "Fatal Attraction," was attributed to American fear of international political terrorism. See Michael J. Andell, "America's Search for Public Philosophy," The Atlantic Monthly 277:3 (March 1996): 57 (13); Otto Friedrich, "The view from the street corner: Americans feel anxiety, but little antagonism toward the Soviets," Time 123 (2 January 1984): 46; Jack Citrin, Donald Green, Christopher Muste and Cara Wong, "Public Opinion Toward s Immigration Reforms: The Role of Economic Motivations," The Journal of Politics 59:3 (August 1997): 858 (4); Jerald Simmons, "The Censoring of 'Rebel Without a Cause,'" Journal of Popular Film and Television 23:2 (Summer 1995): 56 (8); John Rohrkemper, "'Fatal Attraction': The Politics of Terror," Journal of Popular Culture 26:3 (Winter 1992): 83 (7).
3. Michael Schudson, "Preparing the Minds of the People: Three Hundred Years of the American Newspaper," Proceedings of the American Antiquarian Society 100:2 (1991): 423.
4. Michael Schudson, The Power of News (Cambridge: Harvard University Press, 1995): 37.
5. Schudson, The Power of News, 33.
6. Paul Connerton, How Societies Remember (New York: Cambridge University Press, 1989): 3.
7. James D. Startt, "The Media and National Crises, 1917-1945, in William David Sloan and Startt, eds., The Media in America: A History Third Edition (Northport, Ala.: Vision Press, 1996): 395.
8. D. Ann Herring, "'There Were Young People and Old People and Babies Dying Every Week': The 1918-1919 Influenza Pandemic at Norway House," Ethnohistory 41:1 (Winter 1984): 80.
9. *Ibid.*, 81.
10. Jane Brox, "Influenza 1918," The Georgia Review 49:3 (Fall 1995): 689.
11. Joann P. Krieg, Epidemics on the Modern World (New York: Twayne Publishers, 1992): 17.
12. *Ibid.*, 2.
13. Alfred W. Crosby Jr., Epidemic and Peace, 1918 (Westport, Conn.: Greenwood Press, 1976): 311, 314.

14. There are many fine discussions of public memory, including the classic work by Maurice Halbwachs, On Collective Memory (Chicago: University of Chicago Press, 1991 reprint, 1941) on which many studies are based. This particular definition, a typical example, is from John Bodnar's, "Public Memory in an American City: Commemoration in Cleveland," in John R. Gillis, ed., Commemorations: The Politics of National Identity (Princeton, N.J.: Princeton University Press, 1994), 76.

15. Gillis, "Memory and Identity: The History of a Relationship," in his edited Commemorations: The Politics of National Identity, 3.

16. Michael Kammen, "Some Patterns and Meanings of Memory Distortion in American History," in Daniel L. Schacter, ed., Memory Distortion: How Minds, Brains and Societies Reconstruct the Past (Cambridge, Mass: Harvard University Press, 1995): 330.

17. Ibid.

18. Ibid., 329, 340.

19. Ibid., 330

20. J. Dewey, The Public and Its Problems (New York: Henry Holt, 1927): 217-219, as quoted in James W. Carey, "Commentary: Communications and the Progressives," Critical Studies in Mass Communication 6 (1989): 264-282.

21. Geoffrey H. Hartman, "Public Memory and Modern Experience," Yale Journal of Criticism 6:2 (1993): 242.

22. Michael Schudson, "Dynamics of Distortion in Collective Memory," in Schacter, ed., Memory Distortion, 347.

23. Ibid., 348.

24. James Carey, "The Press, Public Opinion, and Public Discourse," in James Carey, A Critical Reader, Eve Stryker Munson and Catherine A. Warren, eds., (Minneapolis: University of Minnesota Press, 1997): 240.

25. John Tebbel and Mary Ellen Zuckerman, The Magazine in America 1741-1990 (New York: Oxford University Press, 1991): 73.

26. This quote from era observer Robert Desmond in Startt, "The Media and Political Culture," in his and David Sloan's edited, The Significance of the Media in American History (Northport, Ala.: Vision Press, 1994): 184

27. Tebbel and Zuckerman, The Magazine, 80.

28. See, for example, William Dwight Whitney and Benjamin E. Smith, The Century dictionary and cyclopedia 1 (New York: The Century Co., 1911): 253; New Standard Dictionary of the English Language (New York: Funk and Wagnalls, 1913): 127; and Peter Mark Roget, Thesaurus of English Words and Phrases (New York: Theo. E. Schulte, 1925): 289.
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31. T.J.Jackson Lears, No Place of Grace: Antimodernism and the Transformation of American Culture (Chicago: University of Chicago Press, 1994): 25.
32. *Ibid.*, 25-26.
33. Cooley is quoted in Peters, "Satan and Savior," 257.
34. Todd Gitlin, The Whole World is Watching: Mass Media in the Making & Unmaking of the New Left (Berkeley: University of California Press, 1980): 2.
35. *Ibid.*, 6.
36. Erving Goffman, Frame Analysis: An Essay on the Organization of Experience (New York: Harper & Row, 1974).
37. Zhongdang Pan and Gerald M. Kosicki, "Framing Analysis: An Approach to News Discourse," Political Communication 10 (January-March, 1993): 55.
38. These devices include metaphors, exemplars, catchphrases, depictions and visual images. See Pan and Kosicki, "Frame Analysis," 56.
39. Schudson, "Dynamics of Distortion in Collective Memory," in Schacter, ed., Memory Distortion, 348-359.
40. *Ibid.*, 350.
41. *Ibid.*, 355.
42. *Ibid.*, 358-359.
43. "Spanish Influenza," Literary Digest 58 (14 September 1918): 21.
44. *Ibid.*, 22.

45. "The Epidemic of Spanish Influenza," Science 48 (20 September 1918): 289.
46. "Spanish Influenza and Its Control," The Survey 41 (12 October 1918): 45.
47. "How to Fight Spanish Influenza," Literary Digest 59 (12 October 1918): 13.
48. James J. Walsh, "The Influenza Pandemic Again," The Independent 96 (19 October 1918): 86.
49. "Extent and Control of the Influenza Epidemic," The Survey 41 (19 October 1918): 63.
50. See George M. Price, "Mobilizing Social Forces Against Influenza," The Survey 41 (26 October 1918): 95, and J. Prentice Murphy, "Meeting the Scourge," The Survey 41 (26 October 1918): 97.
51. See "Spanish Influenza and Its Control," 45; "How to Fight Spanish Influenza," 13; "Mobilizing Social Forces Against Influenza," 96; "Meeting the Scourge," 98-99; and "Framingham -- How the Community Health and Tuberculosis Demonstration Met the Influenza," The Survey 41 (19 October 1918): 64.
52. "Meeting the Scourge," 100.
53. "Spanish Influenza and Its Control," 45.
54. "How to Fight Spanish Influenza," 13.
55. "The Influenza Pandemic Again," The Independent 96 (19 October 1918): 86.
56. "How to Fight Spanish Influenza," 13-14.
57. The Literary Digest in October 1918 had advised the press to avoid rumor and tend to the more practical interest of spreading information about how to combat the disease. See "How to Fight Spanish Influenza," 13.
58. See Wade W. Oliver, "Spanish Influenza," Scientific American 119 (2 November 1918): 356, 367; "Scientific Events," Science 48 (15 November 1918): 487-488; "The Extent and Cost of Influenza," The Survey 41 (16 November 1918): 194; J. Prentice Murphy, "The Aftermath of Influenza," The Survey (23 November 1918): 212-214; George M. Price, "After-War Public Health Problems," The Survey (21 December 1918): 369; "A Program to Combat Influenza," The Survey 41 (28 December 1918): 408-409; and "Vaccination Against Influenza," The Literary Digest 59 (28 December 1918): 25.
59. "Micawber: Sanitarian," The North American Review 208 (November 1918): 657-660.
60. "How Influenza Got In," Literary Digest 59 (30 November 1918): 23.

61. "That Flu Stuff," The Literary Digest 59 (14 December 1918): 81.
62. George M. Price, M.D., "Influenza -- Destroyer and Teacher," The Survey 41 (21 December 1918): 367.
63. Ibid.
64. Ibid., 368.
65. See, as examples, "Will The Influenza Come Back?" The Literary Digest 60 (11 January 1919): 23; and Hermann M. Biggs, "The Recent Epidemic of Influenza," The American Review of Reviews 59 (January 1919): 69-71.
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68. "The Influenza Mystery Deepens," Scientific American 120 (1 February 1919): 92.
69. Wade W. Oliver, "Influenza -- The Sphinx of Diseases," Scientific American 20 (1 March 1919): 200.
70. Biggs, "The Recent Epidemic," 70.
71. "The Lessons of the Pandemic," Science 49 (30 May 1919): 501, 503.
72. "War Reports from the Influenza Front," Literary Digest 60 (22 February 1919): 62.
73. Ibid.
74. Charlotte A. Morton, "How a City and A School Met the Epidemic," Industrial-Arts Magazine 8 (May 1919): 199.
75. See, as examples, "How to Avoid Influenza," Science 49 (28 March 1919): 311-312; "How the Hand Spreads Influenza," Literary Digest 60 (1 March 1919): 24-25; "The Lessons of the Pandemic," Science 49 (30 May 1919): 501-506.
76. "Opportunities for Contact Infection," Science 49 (21 March 1919): 288-291.
77. Harry G. Clarke, "Fooling the Flu," Industrial-Arts Magazine 8 (May 1919): 200.
78. "To Strangle Epidemics in their Lairs," The Literary Digest (1 November 1919): 29.

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85. Lillian D. Wald, "Influenza, When the City is a Great Field Hospital," The Survey 43 (14 February 1920): 579-581.
86. James J. Walsh, "Don't Worry About the Flu," The Independent 101 (14 February 1920): 245.
87. "The 'Flu' at its Work Again," The Literary Digest 64 (31 January 1920): 13.
88. Walsh, "Don't Worry About the Flu," 245.
89. Schudson, "Dynamics of Distortion," 346.
90. Ibid., 348.
91. Walsh, "Don't Worry," 245.
92. "Mapping the Influenza," 32; and "How Influenza Got In," 23.
93. Ibid.
94. "The Epidemic of Influenza in England," Science 52 (6 August 1920): 124.
95. Frances Hayward, "The Brotherhood of Misericordia," The Survey 41 (9 November 1918): 149.
96. Schudson, "Dynamics of Distortion," 355.

97. Ibid., 357.
98. "War Reports from the Influenza Front," 62.
99. Schudson, "Dynamics of Distortion," 359.
100. Ibid., 359.
101. Tebel and Zuckerman, The Magazine in America, 79
102. See headings that begin with "war" in Readers Guide to Periodical Literature V.4 (New York: H.W. Wilson Co., 1919): 2072-2084.
103. Lears, No Place of Grace, 25.
104. Krieg, Epidemics in the Modern World, 17
105. Michael Kammen, Mystic Chords of Memory: The Transformation of Tradition in American Culture (New York: Alfred A. Knopf, 1991): 9.

Myth of the Southern Box Office: Lining Domestic Coffers with Global Prejudices

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Myth of the Southern Box Office: .

Lining Domestic Coffers with Global Prejudices

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In the first half of the 20th century, the foreign market for domestic motion pictures dictated screen content that helped to institutionalize a domestic version of British imperialism. The Southern box office became the scapegoat, and American race relations suffered because of it.

MYTH OF THE SOUTHERN BOX OFFICE:

LINING DOMESTIC COFFERS WITH GLOBAL PREJUDICES

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THE MYTH OF THE SOUTHERN BOX OFFICE:
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Although much-publicized negotiations between the MPPDA and the Catholic Church has spawned a proliferation of excellent scholarship examining the Hays Office, the Legion of Decency, and the Production Code Administration (PCA), only in more recent years has academic inquiry been sharply focused on the international market's role in influencing rules of representation during the years of the classic Hollywood cinema. This does not negate the role of the Catholic Church in determining film content; it simply provides another perspective in keeping with the concept of social totality¹ advanced by theorist Louis Althusser.

This willingness to accept several layers of determinants in shaping ideology was addressed by Robert B. Ray, author of *A Certain Tendency of the Hollywood Cinema* (1985), who wrestled with similar demons in first attempting to provide a single explanation for the evolution of the cinema in this country. As he abandoned the search for one factor and accepted the now-popular premise that motion pictures shape ideology through exclusion as well as through representation, he acknowledged the need for "an approach that would account for both a reflection more complicated than [he] had originally granted and an exclusion more systematic than [he] had reckoned on. In short [he] needed theories of overdetermination and transformation" (1985, p. 11). He grounded his approach in a synthesis of Althusserian Marxism, Lévi-Strauss' myth study, and Freud's psychoanalysis. In his words,

Althusserian Marxism proposes that any phenomenon at any level of society results from multiple determinations (economic, cultural, political, personal, traditional, aesthetic). Lévi-Strauss suggests that

¹ This concept states that "the unity of a structured whole" may consist of various and distinct determinants "fixed in the last instance by the level or instance of the economy" (quoted in Ray, 1985, p. 9).

each version of a myth results from those multiple determinations that have shaped the rules of transformation—that flexibility which enables a single cultural anxiety to assume different shapes in response to an audience's changing needs. Freud refers to dream images as condensations and displacements resulting from multiple dream thoughts. (1985, p. 12)

The reader may hear echoes of Lévi-Strauss and Freud in this examination of the role of the global market in determining the content of American films, but it is surely the voices of Althusser and Karl Marx which inform the dominant conversation.

Contemporary cultural theorist Stuart Ewen, whose recently released *PR! A History of Spin* enriched the final days of this dissertation process, also studied the relationship of early twentieth-century power structures and representation. "Within my historical study of public relations," he wrote, "I sought to make sense of the peculiar processes of representation and perception—the 'exchange of ideas,' as he [Edward Bernays] put it—that have come to distinguish cultural life in the era of mass communication" (p. 9). Later, in the same text, he said, "The rise and consequence of public relations within our world must also be placed in relation to the motives, the assumptions, and the history of power..." (1996, p. 33).

These ideas, which strongly echo the Althusserian social totality, were expressed to Ewen in a 1990 interview with Edward Bernays, widely credited as the first public relations practitioner. Pointing out that corporate public relations rose to power because of a fear of democracy's empowerment of the less well-educated, Bernays wrote in *Crystallizing Public Opinion*, "The duty of the higher strata of society—the cultivated, the learned, the expert, the intellectual—is therefore clear. They must inject moral and spiritual motives into public opinion" (1923, p. 217). This was precisely the charge that motion picture czar Will Hays communicated to his peers at every public opportunity.

Even before the advent of "the talkies," the motion picture industry realized the power of the medium and its ability to convey cultural patterns, although Hays protested its intent to be the transmission of entertainment only until domestic and world events forced the inclusion of social issues onto his agenda. In *Memoirs*, Hays explained his perception of the influence of the silent picture upon its audience. It is a perception which reinforces Marx's maxim that the "ideas of the ruling class are in every epoch the ruling ideas, i.e., the class which is the ruling *material* force of society, is at the same time its ruling *intellectual* force" (as cited in Ray, 1985, p. 13). It is also a perception which supports previous discussion of the nature of film's early audience. Hays said,

American films of the earliest silent picture era had to be designed to appeal to the less educated groups and to the large foreign-language sections of our own population. It was essential that the viewer should be able to follow the story whether understanding English or not. Hence, our silent pictures early developed a style and form that commended them to all races and groups of people, without the aid of words. (1955, p. 506)

And American films led the way in the global market, a fact Hays attributed to the ethnic origins of early film moguls. "Even before World War I, American pictures were making a bid for world supremacy," he argued, but Hays attributed this success not to a wealth of natural resources or a fortunate mix of creative genius. Instead, he placed the credit with Hollywood's Jews, who, as the first producers and exhibitors, were the most "internationally minded of all peoples" (Hays, 1955, p. 506).

Whether other members of the nation's cultural elite shared Hays' analysis is not the issue. What is relevant is that the federal government, more than a decade before the introduction of sound synchronization, recognized the industry's global force and used it in massive mobilization of American society for World War I. Acting on journalist Walter Lippmann's recommendation, George Creel (a former journalist and Woodrow Wilson's head of the Committee of Public Information) conscripted the industry into the effort by forcing exhibitors to sign contracts with the industry that

forbade the airing of cinemas in any country hostile to the United States. In addition, Creel's office piggybacked short patriotic speeches prior to each viewing, dubbed "Four-Minute Men" speeches, into the domestic market. These speeches, given on site by respected members of the community, foreshadowed by 30 years Paul Lazarsfeld's diffusion theory, otherwise known as the two-step flow of communication, introduced in 1948. More importantly to this chapter, Creel's actions demonstrated early twentieth-century recognition of the importance of the industry and its relationships to both the domestic and the global markets.

Retrospection also enabled Hays to link his 1922 decision to head the MPPDA with events contemporary to his 1955 memoir publication. "I am sure," he said, "that one thing which impelled me to accept the Association presidency was the vision of motion pictures as a universal language. I believed that we were building not only for the United States but for the United Nations. That's why I always urged free trade in pictures" (Hays, 1955, p. 507). This vision propelled Hays to even higher aspirations for the film industry and its manufacturers' trade association: "To promote this international understanding by sympathetically telling the story of the nationals of every country to the nationals of all others is the determined purpose of this organization [the MPPDA]" (Hays, 1929, p. 532).

But neither free trade in the cinema nor international understanding was to be a reality. With the American motion picture industry relying on the foreign market for 35 to 40 percent of its costs (Moley, 1945, p. 169) and nationalism surging in most nation-states, including these United States, motion picture content quickly became an international tug-of-war with the Esperanto-loving Will Hays its referee. His very first meeting as "czar" of the MPPDA board—April 13, 1922—dealt with "a bitter protest from the Mexican government that American films were exploiting Mexicans as 'bad men' " (Hays, 1955, p. 333). Following a resolution prohibiting production of any film derogatory to Mexico and the dispatch of a personal

representative to Mexico to "negotiate an understanding" (p. 333)—a process which consumed months and produced a formal treaty between the MPPDA and the Mexican government, Hays recognized the international role his leadership would play. "By that decision the organized industry plunged itself into the sphere of foreign relations," he acknowledged (p. 333). Scholar Ruth Vasey placed even greater import on the action, claiming "the MPPDA's handling of the affair formed a milestone in Hollywood's foreign policy by creating a precedent for the negotiation of trade agreement through concessions in representation" (1992, p. 618).

Always looking for the cloud's silver lining, or so it seems, Hays would later write, "To the public, it [the Mexican treaty] was fresh proof that films were something to be reckoned with...Do what we could, however, national feelings continued to disturb the foreign market" (Hays, 1955, p. 334). Later, in the same text, he would lament that the film industry's international popularity became "the sword of Damocles always hanging over our heads" because it necessitated assuaging foreign markets while maintaining "quality and quantity in production" (Hays, p. 507).

As industry ambassador, Hays took every opportunity to enlist soldiers for the cause. At a 1922 dinner introducing him to the industry, Hays addressed an audience of over 1500 industry representatives, including actors and actresses. Mindful of the nationalism that was resurging during the Progressive Era, he appealed to their patriotism and told them:

They were important to their country, as trade no longer followed the flag, it followed the films. If American pictures, shown everywhere, were to reflect credit on and not contempt of the American way of life, the ladies and gentlemen of Hollywood must henceforth regard themselves as ambassadors of Hollywood and of America. (Hays, 1955, pp. 347-348)

Many of these actors and actresses would be out of work in a few years, once sound production eliminated their box office draw. But in the 1920s, Hays could say, "The motion picture knows no barrier of language. We are apt to regard those who do

not speak our own tongue as different and inimical. But a few thousand feet of celluloid film in a metal container can be sent to the ends of the earth to speak the language which everyone understands, civilized or savage—the language of pictures” (Hays, 1929, p. 52).²

In 1927 remarks to students at Harvard’s School of Business, Hays foreshadowed by more than half a century the concept of the transnational marketplace, theories of cultural imperialism³ and cultural synchronization.⁴ Addressing the young men who would later lead this nation through a Second World War and into domestic prosperity, he stressed: “Far beyond this physical or commercial importance of motion pictures is their importance as an influence upon the ideas and ideals, upon the conduct and customs of those who see them...” (Kennedy, 1927, p. 32). In the same speech, part of a series about the role of the motion picture industry in American life, he would add: “Hollywood has become a tremendous influence upon the peoples of all the world...the motion picture is selling goods abroad for every American manufacturer. It will be of interest to you as students of business to give no small thought to the fact that ‘Trade follows the film’ ” (Kennedy, p. 37).

And Hays later wrote, “In fact, the necessity of making pictures that would sell throughout the world kept prodding our companies to produce good pictures with universal appeal. The pictures that did best here were apt to do best abroad. They

² Cultural anthropologists must have shaken their heads in disbelief at the naiveté of Hays’ remarks, but he continued to espouse the peace-making and culture-homogenizing capacities of the motion picture until America teetered on the brink of World War II.

³ The tendency for practices of a dominant, ruling culture to displace native, internal practices.

⁴ A development theory which includes cultural imperialism as a subset but suggests that an imperialistic relationship is not a requirement, that cultures can adopt the practices of other cultures through a disproportionate flow of information in one direction.

were entertainment pictures—fiction on the screen—and essentially free from propaganda" (Hays, 1955, p. 509). One cannot dispute the success of American movies abroad. But drawing a correlation between a picture's domestic success as an indicator of its likelihood of foreign success is misleading when one realizes that American pictures were *crafted* to avoid violation of foreign sensibilities. That they were successful in the domestic market *follows* from their lack of transgression of the global audience; it does not precede it.

To admit publicly this appeasement of foreign appetites at a time when the American middle class was growing increasingly suspect of corporate America, on the one hand, and immigrant neighbors, on the other, could have resulted in serious questions regarding film industry loyalty. These were questions that wealthy producers, most of whom were of eastern European origin, could ill afford. To deflect these questions, responsibility for decisions regarding representation was conveniently assigned to the box office, which Hays' biographer Raymond Moley termed the "high court with unlimited jurisdiction" which stands in judgment, the court from which there was no appeal (1945, p. 124). To make matters regarding the omniscient box office more believable, its "theater" was the South, and it was on the South's doorstep that most decisions regarding filmed representation of American life were placed.

Despite Moley's claim that the United States offered a "huge, *homogeneous* [italics added] and comparatively prosperous domestic market" (1945, p. 170), the film industry knew from its inception that the South was a more conservative market than the Northeast, for example. The existence of Jim Crow laws from the 1890s onward effectively segregated and "in most cases, barred from white places of indoor and outdoor commercial amusement" the African Americans who were a large portion of the potential viewing audience (Fuller, 1996, pp. 31-32). In her recent study of the Southern audience, Kathryn Fuller reported that the very construction

of most Southern theaters skewed attendance and ironically discriminated against exhibitors attempting to procure first-run films for their small-town theaters.

The main reason was architectural. Rural Southern theaters were largely single-story buildings. As such, they lacked the balcony necessary for relegation of black spectators to accomplish Jim Crow separation from the white populace. Some towns compensated by stringing a clothesline down the center of the theater and placing black curtains on it so that the segregated audience could sit on benches on either side of the curtain without sharing the same viewing space, according to Pulitzer-Prize nominated, African-American author Clifford Taulbert, who shared his recollections during an informal conversation (C. Taulbert, personal communication, February 11, 1996). Other towns, lacking clothesline and curtain perhaps, simply refused admittance to African Americans. In Mississippi, for example, one exhibitor complained that his rates were based on a percentage of the town's census, which included blacks, but that blacks were barred from the theater. The net result was that blacks did not see films at all and whites could not view first-run films (Fuller, 1996, p. 32).

But the schism was not just racial. Fuller reported that, as early as the 1920s, which would be prior to the advent of sound recording, "rural evangelists saw the movies as visually representative of the decadence of the cities" (1996, p. 36). The classic need to protect one's flock from the omnipresent wolves of the big city, as well as a distrust, once again, of those who inhabited those cities—the immigrants—brought the twin protection of patriotism and religious fervor to control the content of domestic films. That responsibility rested largely upon the Studio Relations Committee, forerunner of the Production Code Administration. Explained Vasey, "In effect, it was the role of the Studio Relations Committee to determine what constituted the allowable limits of representation and to scrutinize the output of each studio on behalf of all the others" (1992, p. 622). But the lack of a truly homogeneous

audience made the task difficult; the results were not only evident in terms of content which appealed to the lowest common denominator but also in terms of delays in the introduction of technological advances.

Neal Gabler, author of *An Empire of Their Own*, explained: "[Universal Studio's] audiences were largely rural, and its films were tailored to appeal to them. And while other studios rapidly converted to sound, Universal found itself a latecomer,⁵ in part because the rural theaters that showed its films were the last to be rewired" (1988, p. 206).

Fuller added to the discussion:

Not only were the South's patterns of film exhibition and movie attendance distinctly different from those of urban areas, southern states had the lowest density of movie theaters of any other region during the silent film era. As late as 1930, Georgia had only one-third as many movie theater seats per thousand people as any state outside the region. Many Southerners, especially small-town and rural residents of the Deep South, were less exposed to movie shows than other Americans in the silent film era: The greater physical isolation and lower economic status of many rural Southerners, compared with those of their midwestern counterparts, kept many away from the movies. (1996, p. 30)

The film industry's fallback position that the Southern box office would kill some movies even if the story lines did pass review boards was a convenient subterfuge of protecting dominant domestic cultural values even though foreign economic markets were the larger concern. The international scope of American movie distribution clearly was becoming larger than one individual could administer on a case-by-case basis.

In the industry's early years, Will Hays handled many of the international concerns on an individual basis, but by the end of the 1920s, according to Vasey, "the MPPDA was managing to address recurrent public relations problems, including its relations with a foreign market, in a relatively systematic way" (1992, pp. 620-621).

⁵ Because Universal made almost half its profits in the foreign market (Gabler, 1988, p. 207), a figure significantly higher than those of other studios, it had added reason not to rush to sound.

Governmental interaction increased, not just in the area of content control but also in the area of diplomatic relations:

Thoughtful administrators of the great nations of the world are coming more and more to realize the possibilities of the motion pictures and are lending their aid to it in important ways. Our own government is cooperating closely, and we are ourselves determined that at every opportunity a true portrayal of American life and ideals shall be given to the world and that to the nationals of all countries shall go a true picture of the lives of the nationals of all others. (Hays, 1927, pp. 52-53)

In the same article, Hays related with pride some background on the making of *The Eternal City*—background which likely created difficulty for him as the pre-World War II isolationist years approached. To illustrate the concept of seeking the good will of foreign powers, he explained how willing the Italian ambassador—Signor Caetani, “a most distinguished man, the richest man in Italy, a graduate of Columbia University who examined mines in this country, then went back to march beside Mussolini in a black shirt in Rome”—was to collaborate on a scenario which Hays would later label “thoroughly sympathetic and pleasing to Italy and a true story of things as they are” (Hays, 1929, p. 53). Again, the assurance that truth could have only one representation is a recurring theme in Hays’ remarks and an unwitting affirmation of Karl Marx’s comments on ruling classes and ruling ideology introduced earlier in this study.

The 1927 creation of a Studio Relation Committee, which could communicate with industry personnel pre-production, was part of this “systematic effort to address recurrent public relations problems” as was the Open Door public relations policy. As Hays shared in the article written for *A Century of Industrial Progress*, “A Studio Committee was organized, with a representative from every studio responsible for what goes into pictures. In advance of production expert advice is asked, from our State Department, from ambassadors from foreign countries” (Hays, 1929, p. 527.)

Pressure brought to bear by New York financiers the same year also was a primary motivator of the Studio Relations Committee’s systematic approach. With the

advent of sound, revising a film post-production was too expensive a proposition for most studios, so adhering to the "Don'ts and Be Carefuls" was an economic necessity—it was, at least, until the Depression and accompanying declines in box office revenue forced filmmakers to become more "daring" (Koppes & Black, 1987, p. 13).

The time period between 1930 and 1945 saw tremendous increases in movie attendance. Various estimates place the movies' popularity in the realm of 80 million viewers per week, a figure representing one-half to two-thirds of the United States' population during that time period. Approximately 83 cents of every American dollar spent on recreation was spent on the movies (Ray, 1985, pp. 25-26). A sound track had become the expectation rather than the exception, and with it, the vagaries of culture and politics began to intersect in a way that even the diplomatic Will Hays could not gloss over.

Some problems were fairly easy to resolve. When the industry first set its sights on the South American market, the problem of the number of Spanish dialects became apparent. What was colloquial in Venezuela, for example, might be almost unintelligible in Bolivia. Margaret Thorp, author of *America at the Movies* (1939), explained the solution: "If the scenes are set in the United States, it has been discovered, nobody worries; the United States is so extraordinary a country to the South American mind that anything which happens there is credible..." (pp. 116-117).

It was this willingness to believe that just about anything could happen in the States, coupled with the film industry's extreme economic sensitivity to the sensibilities of the foreign market, that may have helped to create the prototypical Hollywood villain as a white male. Ruth Vasey noted, "Ironically, therefore, the ethnic heterogeneity of Hollywood audience, both at home and abroad, encouraged the increasing homogeneity of the screen's cast of characters" (1992, p. 624).

Hearkening to the Mexican government's 1922 protest over the depictions of its citizenry and entanglements with the French in 1928, America became not only the land of opportunity but the land of plausibility. The mythical homogeneous audience had created a homogenous and predictable screen.

The year 1934 was a turning point for Hollywood. New York financiers had much at stake when nationwide boycotts began to form against the MPPDA and its member theaters. But their concern was really of a more global nature since no studio could afford to lose its foreign market revenue. Therefore, films remained entertainment, but world affairs began to push Will Hays and the MPPDA toward films that took a stand on social and political issues. Again, however, it was economics that prompted the departure from the safe world of illusion.

Gabler reported that even the Nazi threat did not receive a high profile in the industry until it became an economic threat. He related the following commentary between Jewish screenwriters:

Maurice Rapf, "You have to face the fact that they [the motion picture industry] began to have a lot more zeal about the Nazis when the Nazis closed down distribution offices in Germany, which they did by about 1934." "It was a matter of business," Hy Kaft agreed. "The motion picture companies had large interests in Europe for distribution of their pictures. They tried to hold on as long as possible and Warner Brothers only closed its German office when a band of Nazi thugs chased and murdered its representative there, a Jew named Joe Kauffman. (1988, pp. 341-342)

The issue of global censorship was not suppressed from the American public in the popular press. Douglas W. Churchill, Hollywood correspondent for *The New York Times*, examined the role of foreign influence in the motion picture industry in an article aptly titled, "Hollywood's Censor Is All the World: The Cinema Capital, in Marketing Its Films, Must Consider Foreign Sensibilities" (1936, March 29). Writing as a film correspondent rather than as an academic, Churchill nonetheless observed, "So closely are the wheels of international trade, politics, manipulation and influence enmeshed in foreign parts that American producers are as subject to the dictation of French, British and Italian censors as they would be if their

headquarters were in Paris, London or Rome." But Churchill accepted this as a positive influence on motion picture content in that fear of foreign censorship has taught Hollywood "what it can make successfully and with least chance of interference," citing the popularity of musical, biographies and historical subjects, "provided they raise no current issues."

The impetus for Churchill's article was Metro-Goldwyn-Mayer and MPPDA's suppression of the Sinclair Lewis novel *It Can't Happen Here* (1935). Seizing upon the title, Lewis accused Louis B. Mayer and Will Hays of acting at the behest of Hitler and Mussolini; he added, "Apparently, it can happen here." By estimating the likely financial loss to MGM had the film been made and subsequently banned in Germany, Italy, their allies, and England (which barred films about political unrest), Churchill termed the Mayer-Hays decision one that recognized production of *It Can't Happen Here* would be "carrying idealism and adherence to a principle too far. The film industry is a business, not a crusade."

What is intriguing about Churchill's article is that discussion of this topic was not framed in nationalistic terms, despite its 1936 publication. Instead, reference was made to "sensibilities" and "films which hurt their neighbors' feelings" as though a nation could gauge with certainty the reaction of another nation based upon such abstract assessments as "feelings." Other examples of anthropomorphism are found in Churchill's ascribing of "jealousy" to a nation: "Other nations are bound to be jealous of the huge salaries and huge profits of which they read in every Hollywood journal...." These observations notwithstanding, Churchill placed part of the blame for "censorship agitation" on Hollywood (also anthropomorphized) and its "ignorance of life in other lands," an interesting commentary about an industry which prided itself on insider information, often supplied by government operatives in foreign countries.

Throughout these critical years, the film industry maintained close ties with the federal government. Moley credited the Department of Commerce as a critical source of information for American film companies:

These men sent in reports which included much information useful to the foreign departments of the American companies. They also described local situations which might have a bearing on the success or failure of American pictures. Indirectly and informally they were often able to give support to the position of American interests abroad. (1945, p. 176)

The reader must remember that this statement was filtered through the cultural and political lenses of Raymond Moley, a New Dealer in Franklin Delano Roosevelt's think tank who later jumped political ship in favor of alignment with large corporate interests such as those of the MPPDA.

But relationships between the new Democratic administration and the Republican-headed MPPDA were not as smooth as they had once been, despite frequent friendly correspondence between their respective leaders. Federal antitrust legislation to dismantle the industry's vertical integration had been filed the same year, which, according to Vasey, was as significant a determinant of the industry's rules of representation as was the 1939 beginning of World War II in Europe. She said, "The evolution of a consistent mode of treatment had depended upon the relatively stable framework provided by the cooperative operation of large, vertically integrated companies" (1992, p. 638). When the stasis of that framework was disrupted by foreign war and domestic litigation, then corresponding "transformations, displacements, obfuscations, and ameliorations on the screens of the world" were the result (1992, p. 639).

Hays also cited 1938 as a pivotal year for the film industry, noting that the United States government "sent us an explicit warning" regarding to foreign market and "problems of rising nationalism, of quotas, discrimination, exchange restrictions and tariff barriers" (1955, p. 490). One solution was to look southward rather than to Europe, and the Hays Office did just that, seeking to enlarge the South American

market for the motion picture industry to counteract the loss of what would soon be known as Axis powers in Europe (Thorp, 1939, pp. 163-164).

Ian Jarvie's *Hollywood's Overseas Campaign: The North Atlantic Movie Trade 1920-1950* looked chronologically at the Canadian and British film markets to determine why their efforts to withstand the onslaught of American mass culture were failures. He credited the MPPDA's vertical integration and, using primary sources from industry and government, built a strong case that protection of the global market was always the goal of the MPPDA. Citing "recurrent concerns" of early twentieth-century overseas restrictions on American film, foreign efforts to market their products over those of American firms, and lack of organization among American industry, film companies and federal government (Jarvie, 1992, p. 279), he believed that these factors, rather than fear of federal government censorship, were the real reasons that the MPPDA was created. Like Vasey, he saw the 1938 antitrust action in dire terms, calling it "the most severe government challenge the industry had yet faced" (Jarvie, 1992, p. 349).

With war looming, Hays tried to keep the MPPDA from running afoul of the Neutrality Act, but several prominent members of the MPPDA were vociferously urging America, through choice of film production and public remarks, to enter the fray. Hays had good reason to favor neutrality. According to his memoirs, prior to the war American films had reached one-eighth of the human population (Hays, 1955, p. 557). Given his propensity to quote figures without citing or proving support, one cannot be sure of the accuracy of these figures, but the record supports a staggering worldwide viewership. As Axis powers strengthened their hold in Europe and Asia, these markets virtually disappeared and their debts became uncollectable. Holding on to the largest foreign market, Great Britain, which exercised strict censorship through its 1927 Cinematograph Film Act, reaffirmed in 1938, became paramount.

Ian Jarvie's 1992 study of the North Atlantic movie trade is without equal in its rigorous study of the politics and economics which guided development of American film exhibition in Canada and Great Britain. To attempt to find flaw in his collection of data or the conclusions he skillfully drew would be presumptuous in the scope of a dissertation. What would enrich such a study, however, by placing a human face within its mountainous terrain, would be the addition of a companion volume of anecdotes about specific movies which could demonstrate how American filmmakers altered content specifically to meet the demands of the British market. Many texts detail censorship efforts.⁶ Few, however, discuss these efforts as economic measures designed to appease global markets. None to this writer's knowledge specifically looks at the treatment of one racial or ethnic group with regard to global economics as the agent of representation. For purposes of this study, generalized examples of the treatment of the African American will be used.

How Great Britain came to be such an important part of the motion picture industry's foreign market is easily explained by two factors. One factor, widely recognized, is the sheer geographic magnitude of its colonial empire. The second, which receives little attention, involves the transition from silent movies to "talkies."

Even silent movies required adaptation of their filmed subtitles when exported worldwide. The exception, of course, was export to Great Britain and its colonies, where reading knowledge on English was an assumed skill on the part of film editors. When sound was added, the problem became even more apparent and Great Britain, by extension, an even more valuable customer because films could be prepared for British distribution without the expense of sound dubbing, provided that the content

⁶ See Richard S. Randall's *Censorship of the Movies* (1968); Gerald Gardner's *The Censorship Papers* (1987); Leonard Leff & Jerold Simmons' *The Dame in the Kimono* (1990) as examples.

of the film was acceptable to the British Board of Film Censors. This meant, according to Loren Miller, who cited "unwritten, but iron clad rules in the movie industry," that "films in which racial relationships are depicted show the white man as the overlord" (1934, p. 395). He placed the argument in economic terms as well: "One important factor in the preservation of the status quo is the continued subordination of the Negro people. White superiority has cash value to them" (1934, p. 397).

An interesting tangent regarding the impact of sound dubbing is provided in a 1995 *Journal of Communication* article by Muhlenberg College professor Marsha Seifert. She observed that, in addition to being visually excluded whenever possible, African Americans also suffered the double indignity of being dubbed when present because "their natural [own] voices and singing styles might also mark their ethnicity and therefore might limit the market for the film and sound track sales. Therefore, the sound dubbing helped the image pass into the white market for movie musicals and movie sound tracks" (p. 60).

The second factor, the effect of the extent of Great Britain's colonial empire, is more easily and frequently cited, although not necessarily in the same context as treatment of African Americans. Enlisting the sympathies of African Americans for support of war efforts was not easy, claimed Stuart Ewen, because racism was omnipresent in American society. George Creel, who organized the domestic Committee on Public Information prior to World War I, was informed that African Americans could not be assumed to be swayed by Four-Minute Men speeches and would require separate handling, a reaction Ewen attributed to the difficulty of "swallow[ing] the liberal rhetoric of the Committee on Public Information while they [African Americans] were burdened by entrenched patterns of racism" (Ewen, 1996, p. 118). Those patterns of racism were accomplished in the motion picture industry through both inclusion and exclusion.

Thomas Cripps, author of *Slow Fade to Black* and one of the first scholars to trace the history of African-American representation in the movies, claimed, "Women and children found easier access to white movies because American racial lore found black women benign, unthreatening, and earth-mother wise, and black children prepubescent boon companions" (1977, p. 135). African-American males, however, did not fare as well, subject to the stereotypes of inflated libido and deflated intelligence. Contemporary critic Lea Jacobs, whose *Wages of Sin* examined representations of sex and gender, documented correspondence between the MPPDA and Harold Hurley of Paramount's legal department which questioned whether the character of Helen (Marlene Dietrich) in the 1932 *Blonde Venus* should be permitted to perform for African Americans in a Harlem night club: "Mr. Hurley seems to share our feeling that this would be questionable, especially in Southern States where such equity is frowned upon" (as cited in Jacobs, 1991, p. 89).

As indicated, neither Great Britain nor other members of the MPPDA's foreign market were cited as the reason for this censorship. The dominant theme in the literature is that of the powerful Southern box office, a theme attributed earlier in this chapter to a conscious effort to divert concern about the foreign market because of isolationist tendencies in this country. As such, the Southern market resurfaces continually in articles discussing racial representation. The Swedish sociologist Gunnar Myrdal, in an attempt to explain why roles outside of stereotypes were not widely available, even to the likes of Paul Robeson and Ether Watters, stated, "Ignorance on the part of film producers and fear of offending white Southerners were the main reason for this treatment. After 1940, patriotic motives, stimulated by the growing war spirit, as well as definite pressure from the federal government, moved Hollywood to treat Negroes a little more favorably in the movies. (1944, p. 988)

And *Hollywood Goes to War*, echoed this sentiment:

Wanting to protect the box office from southern film censors, Hollywood adopted the region's white supremacist view, typified by the idealized plantation society in *Gone With the Wind*. Blacks had been relegated to the most degrading stereotypes, as represented by Stepin Fetchit and worse. (Koppes & Black, 1987, p. 85)

The movie trade press also embraced the stereotypes, inserting pointless articles about African-American actors and writing their remarks in dialect for the purported amusement of readers.⁷

Vasey, however, widened the global focus of such stereotypes: "Just as the depiction of race relations in the United States could only take place within limits determined by the southern American states, the industry was bound to tacit, if not active, compliance with British notions of global white supremacy" (1992, p. 629). But surprisingly, the scholar who best addressed this issue was not a contemporary of Vasey's but of the subjects of her inquiry. Without advantage of hindsight or of access to recently opened archives, Margaret Thorp, a sociologist, was most perceptive in her 1939 assessment of the role of European censors in influencing film content. In addition, she touched upon several topics not duplicated in other, later studies: American admiration of British ideals and an undeveloped commentary on construction of "escape personalities."

Of British ideals, she enumerated:

Loyalty as the supreme virtue no matter to what you are loyal, courage, hard work, a creed in which *noblesse oblige* is the most intellectual conception; those ideas are easier to grasp and very much easier to dramatize on the screen than social responsibility, the relation of the individual to the state, the necessity for a pacifist to fight tyranny, the nature of democracy, and the similar problems with which intellectuals want the movies to deal.

The propaganda problem to be decided here is a question of date: In just what period are the eighty-five million American moviegoers living?...The intellectuals, living at the uttermost point of the present, consider it one of the functions of art and their artists to point the way to the future....The producers...guess at the period in which the majority of the eighty-five million are living is about 1854. They do not actually express it, of course, in quite such concrete terms but obviously what they think their public believes in are the social ideals of the British Empire at the time of the Crimean War. (Thorp, 1939, pp. 171-172)

⁷ See Appendix C "Mr. Fetchit in Kansas City" (*Variety*, 1935, February 24) for an example of the double entendre wrapped in dialect to describe Fetchit's solution to America's race problem.

Thorp's observations about the role of the "screen negro," despite their length, also deserve reproduction because of their implications for Lévi-Strauss and Freudian analysis:

Then there is the case of the screen negro. The eighty-five million [Americans who attended movies weekly just prior to World War II] are primarily white and no white American, the industry maintains, would ever make his escape personality black. 'Stardom,' Terry Ramsaye wrote in the Motion Picture Herald (8th July 1939) is *a job of vicarious attainment for the customers. The starring player becomes the agent-in-adventure for the box-office customer. The spectator tends to identify himself with the glamorous and triumphant player...Inevitably the motion picture tends to place the negro in the screen drama in the same relation as that which he occupies in the nation's social and economic picture. In other words, the screen public takes the negro as the average of 135,000,000 of him...The multitude can chuckle at Step'n Fetchit and laugh with Rochester, but they will woo and win with the Gables, the Taylors, and the Coopers. That's 'the major responsibility'—the white actor's burden.* The producer is ready to protect the negro and avoid stirring race relations by keeping off the screen such villainous negroes as appeared in Griffith's *Birth of a Nation*, but the best he thinks he can do beyond that is to make the negro so amusing and agreeable that an audience is always pleased at the appearance of a black face. (1939, p. 83)

Further response to Thorp's assessments of either or both of these topics deserves additional investigation beyond the parameters of this dissertation. Writing on the eve of World War II, however, she revealed an unusual perspective not privileged by retrospection.

Returning to a brief history of the MPPDA and events leading to the United States' entrance into World War II, a writer would be remiss to ignore Ambassador Joseph Kennedy, who would father an American president and was a key figure in this struggle to appease the British film market. Jarvie's work provided meticulous record of the official role Kennedy filled in helping the MPPDA negotiate agreements with the British government's censors, whose main concern was the drain on the British economy created by the flow of as much as \$30 million annually to American film companies. But Jarvie did not address a question of Kennedy's anti-Semitism raised by other scholars; he confined himself instead to matters of State Department and trade association records. Neal Gabler, however, credited Kennedy

with 1940 promotion of a policy of neutrality bordering on intimidation, even toward Great Britain, about which he reminded industry representatives that, while Britain had not yet lost the war, it had not won it either. His remarks were in response to the Warner Studio's public offer to Roosevelt to assist in the war effort however possible. About this, American film hero Douglas Fairbanks, Jr. wrote Roosevelt: "[Jews] should stop making anti-Nazi pictures or using the film medium to promote or show sympathy to the cause of the 'democracies' versus the 'dictators'." Screenwriter Ben Hecht said, "As a result of Kennedy's cry for silence, all of Hollywood's top Jews went around with their grief hidden like a Jewish fox under their gentile vests" (Gabler, 1988, p. 344).

Many excellent articles and books chronicle Hollywood's entrance into World War II, including the aborted 1941 Senate hearings led by Burton Wheeler and Gerald Nye. The world became smaller for the MPPDA during and after World War II. Two years before Hays' 1945 retirement, the MPPDA's Foreign Department was renamed its International Department. Recalled Hays:

The world was moving fast during these years, and we wanted to emphasize the fact that motion pictures had become a vital, almost universal, international medium of communication, and that no nation was "foreign" to their sphere of influence.

The interest of the MPPDA in international relations was simply a continuation of an interest already keenly felt in the industry before 1922. Among most of America's industrial enterprises, the 'foreign' or export side is a comparatively minor factor in relation to gross income; export often becomes merely an added "department." But not so with motion pictures. Aside from the amazing fact that from 35 to 40 per cent of the industry's income is normally derived from foreign sources, the global ramifications of the screen make foreign relations a vital and integral part of the business. (Hays, 1955, p. 505)

For the purposes of this study on the global box office, however, the need to pursue the chronology ends with the United States' entrance into the war following Pearl Harbor. After this point, global markets took a back seat to survival of democracy. Unpopular, anti-Nazi positions became the popular expectation as the Office of War Information (OWI) enlisted the Hollywood studios in a massive propaganda campaign

designed to avoid stereotypes and make the war "a people's war" with no evidence of class struggle (Koppes & Black, 1987, p. 67). The 1942 OWI guidebook provided addressed racial content within films; *Variety* magazine contrasted the racism of the enemy with the "all for one and one for all" mentality of Americans. It was a myth, of course, to think that American racism would disappear simply because a common threat had loomed, but the first step had been taken. Government and industry recognized the contradiction of fighting Aryan ideals abroad while exercising them at home. As the cartoon character Pogo offered, "We have met the enemy, and he is us."

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PERSONAL COMMUNICATIONS

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Ideology and Race in California: The New York Times Coverage of Proposition 187

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Critical cultural studies theory argues that the function of media in modern capitalist societies is to help win the consent of the citizenry to the ideologies of the dominant elite. If this is true, one would expect that mainstream media coverage of a major social issue would focus on elite viewpoints on the issue and marginalize or exclude others. This study concerns two of the most volatile issues facing the United States today: race and illegal immigration. Both of these were key factors in the debate over California's Proposition 187, a 1994 plan to deny social services to the state's undocumented immigrants, the vast majority of whom are non-white. Using critical cultural and media sociology theories of ideology, race and the media, this study examines stories on 187 in the New York Times, arguably the nation's most influential newspaper, to see how elite viewpoints were featured in the coverage. More specifically, the study sought to discover how the elites viewed the racial aspect of 187, and how those racial viewpoints were portrayed in the coverage.

Ideology and Race

Using the language of semiology, Sumner (1979) defines ideology as a sign, "a composition of signifying unit and signified meaning in relation" (for example, the combination of the word "cup" and the mental images of a cup that the word conjures up). An ideological formation is a cluster or series of signs. For Sumner and other social-constructionist scholars, all human social practice is ideological, from the words that form our

languages to the complex ideological formations that make up our belief systems. In this view, ideology isn't just a pervasive part of human experience: it *is* human experience. There is no reality outside it.

Ideologies, then, are systems of meaning within which people live in reality or, to put it differently, live their relationship to reality. They define how people experience the world, what they take for granted. Ideologies define what is taken to be common sense; the truth of ideological statements appears obvious and even natural...

When Richard Nixon and even Robert Kennedy went hunting for Communists in the 1950s, they honestly saw such figures everywhere and viewed them as a real menace. There was no way to argue against this ideology by appealing to some experience outside of another ideology; in other words, an ideology is self-contained and non-falsifiable (Grossberg, Wartella and Whitney, 1998: 191-192).

Sumner goes on to challenge the classical Marxist idea that ideologies develop solely from a society's economic structure. Instead, he argues, ideologies develop from all types of social practice, political and cultural as well as economic. Just as ideologies evolve from social practice, so do social practices, over time, develop from ideologies. Thus, all ideologies are social constructions which change over time as societies change. In order to discover ideological formations in media discourse, then, one must first understand the social function and historical context of the ideological formation in question.

Critical cultural scholars writing about race from this social-constructionist perspective (such as Stuart Hall, Kobena Mercer, Ruth Frankenberg, Michael Omi and Howard Winant, among others), argue that racial identities are ideological constructs. For these theorists, the ways in which race is represented and structured don't stay the same; instead, they're constantly evolving. Thus, they argue, there's no such thing as a

racially fixed identity: not only are racial identities socially constructed, but they change over time as society changes.

For example, Omi and Winant (1994) argue that Europeans had no conception of racial difference in the modern sense until the conquest of the New World, where they justified their conquest of native peoples on the grounds that they were racially inferior. At first, this inferiority was established on religious grounds, since native Americans and the slaves brought over from Africa weren't Christians and thus "barbaric." In the 18th century came the Enlightenment, scientific rationality, democratic revolutions and the assertion of "natural rights" of "man." In such an environment, racial exploitation was difficult to justify. The solution was the establishment of scientific "proof" that non-white races were biologically inferior. These beliefs were challenged in the 20th century by the writings of thinkers such as Max Weber, W.E.B. Du Bois and Franz Boas, and by the political struggles of racially defined groups, all of which emphasized the social and political nature of racial difference. Although belief in the biological difference of races continues to this day,

we have now reached the point of fairly general agreement that race is not a biologically given but rather a socially constructed way of differentiating human beings. While a tremendous achievement, the transcendence of biologicistic conceptions of race does not provide any reprieve from the dilemmas of racial injustice and conflict, nor from controversies over the significance of race in the present. Views of race as socially constructed simply recognize the fact that these conflicts and controversies are now more properly framed on the terrain of politics (Omi and Winant: p. 65).

Looking at U.S. racial history from this perspective, Omi and Winant argue that from the time of the first colony to the end of the Civil War (1607-1865), the United States was a racial dictatorship, with most non-whites unable to participate in politics. And for most of the following

century, legalized segregation and denial of the vote were the norm in the South and much of the Southwest. Those barriers were overturned (at least in principle) by the Civil Rights movement of the 1950s and 1960s, "a great transformation of the political universe" which

permitted the entry of millions of racial minority group members into the political process...Political mobilization along racial lines resulted in the enactment of reforms which dramatically restructured the racial order, reorganized state institutions and launched whole new realms of state activity (Omi and Winant: 138).

In the late '60s and '70s, they continue, racial minorities used their new-found political clout to "to advance demands for a more thoroughgoing restructuring of the social order" (Omi and Winant: 139). As the '60s turned into the '70s, however, these struggles occurred in the context of steady U.S. economic and political decline, which by the 1980s had created a long list of woes:

Once the world's creditor, [the United States] had become its chief debtor; once the chief importer of manufactured goods, it was now their main importer. ..Once able to guarantee a prosperous and secure future to its citizens, the U.S. now contemplated a minimum unemployment rate (in periods of economic expansion, to say nothing of contraction) of 7 percent and a national debt which by 1984 had reached the \$200 billion per annum range. Since 1970 the U.S. had experienced defeat in war, the impeachment and resignation of a President, an inflationary peak of 22 percent [and] peacetime shortages of oil and gas...It had also witnessed the election of a President whose chief commitment was to stem the tide of deterioration these events reflected (Omi and Winant: 137-8).

In the wake of this economic decline came a backlash against racial minorities that was still going strong at the time of the 1994 Proposition 187 debate, Omi and Winant argue. This backlash found its voice in three principal mainstream discourses: neoconservatism, the New Right, and most recently, Bill Clinton's neoliberalism.

Although neoconservatives claimed to endorse the principle of racial equality, they understood it in a new way. For the neoconservatives, each individual had equal rights under the law. But since the 1970s, the state had given preferential treatment to minority groups, thus generating racial discrimination against whites. (The recent Hopwood decision is a good example of neoconservative thinking in action.)

The New Right, as exemplified by the Reagan Administration and its allies, responded to the nation's economic downturn in the 1970s by advocating tax cuts for the wealthy as a way of stimulating the economy and simultaneously demonizing poor members of minority groups as creators of their own ill fortune through lack of moral fiber. According to Reeves and Campbell (1994), the Reagan Administration put this philosophy into action in the War on Drugs. With the aid of the media, they proclaimed a "crack epidemic" in the nation's inner cities caused not by the country's myriad social problems, such as deindustrialization, job migration and declining wages, but rather by individual moral decay. (Omi and Winant argue that the Reagan Administration also embraced the neoconservative position of racial colorblindness in attacking Affirmative Action and school busing programs as reverse discrimination.)

In the early 1990s, key events in U.S. racial politics included the Rodney King beating and the Los Angeles riot of 1992 and the continuing debates over "multiculturalism" and "political correctness." Omi and Winant argue that the key to Bill Clinton's success in the 1992 election was his decision not to address these issues but to avoid them. This strategy, which they refer to as a "neoliberal" project, reflects a belief that discussions of race are "divisive" and alienating to increasing numbers of

disaffected white suburban voters. Although it acknowledges social problems, it seeks to address them with universal programs that appeal to a broad cross-section of the populace rather than group-targeted ones, such as more jobs, better education and increased social investment (Omi and Winant, 1994: 147-150).

Ideology and the Media

For critical cultural theorists, the media play a key role in developing race constructions and other ideological formations in a society. To understand that role, these theorists draw heavily on the work of Antonio Gramsci, who reconceptualized Marx's theories of how a modern capitalist state functions. Rather than a "ruling class" exerting absolute power in society by controlling the means of production, Gramsci hypothesized a much more complex, volatile world in which not only classes, but subgroups within classes, vied with each other for power (Hall, 1996). Gramsci rejects the idea of one class dominating society, hypothesizing instead a "historic bloc" that includes not only elements of the dominant class but also of the subordinate classes as well, who have been won over by the dominant class through concessions and compromises.

Since achieving dominance in a modern industrial state requires winning the consent of the masses, for Gramsci this struggle is increasingly an ideological one. For ideology to be useful in helping a historic bloc win dominance, it must be able to, in Hall's words, "enter into, modify and transform the practical everyday consciousness or popular thought of the masses. The latter is what [Gramsci] calls 'common sense'" (Hall, 1996:

431). In a modern industrial state, one of the primary ways to do this is through the industry whose business is communication with the masses: the mass media. The question then arises: how can an industry that prides itself on its independence from society's centers of power get used by those same power blocs? As Hall explains, it is precisely because of the widespread belief in the media's autonomy that the media have become key institutions in modern capitalist societies for securing the consent of the governed to the dominant ideologies.

So how is that possible? Media practitioners define news as information that's timely, unusual, dramatic, and has a significant impact on the audience, to list a few of the primary journalistic conventions. The problem then becomes which timely, unusual and dramatic events to write about. Also, if an editor has two "newsworthy" stories, which one gets better play? One way the media solve these problems is to create an informal hierarchy of news sources -- the people from whom reporters get the information on which their stories are based. Gans (1979) found that the media overwhelmingly base their stories on information from official sources -- representatives of political, business, social and cultural institutions. Of those, political sources predominate, and of the political sources, national sources predominate.

Scholars have found a number of reasons why reporters rely on official sources. For example, Tuchman (1978) argues that the media, as commercial enterprises, need credible, reliable daily sources of information to stay in business. Official sources have proven themselves over time to be credible and reliable because they represent institutions recognized by the public as legitimate (the police department, city hall,

Congress) and because they have information in which the public is interested and which therefore is "newsworthy." Because official sources can be counted on to provide "news," Tuchman continues, the media tend to station reporters in places where official sources are located, like Washington, D.C., which makes reporters even more reliant on those sources.

Some would say that the media's code of objectivity, in which at least two sides of an issue are presented dispassionately, keep media content from being biased. But Tuchman (1978), Herman and Chomsky (1988), Altschull (1995) and others argue that despite the mainstream media's "objective" reporting, the "official" viewpoint tends to prevail in the news because of the dominance of official sources.

Gans' ethnographic study of the national news media, *Deciding What's News*, (1979), provides additional evidence that the media serve as "agents of power," to borrow Altschull's phrase. Gans argues that the news contains "enduring values," principles which are privileged over time in news stories. One of these is the desirability of social order. As a result, one frequently sees stories about social disturbances, such as demonstrations or riots, with the emphasis not so much on what the demonstrations or riots were about, but rather on the restoration of order by public officials.

The frequency of social order stories raises the question, Whose order is being restored? Since the news is dominated by official sources, Gans continues, their definition of order is what news stories emphasize. "With some oversimplification," he writes, "it would be fair to say that the

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news supports the social order of public, businesss and professional, upper-middle-class, middle-aged, and white male sectors of society" (p. 61).

Other values in the news also tend to protect the social order of the powerful, Gans argues. "Altruistic democracy" and "ethnocentrism" refer to the ways in which the American political system and American "values and practices" are always framed in a positive light. And, although individualism is idealized, this value is tempered to some extent by the value of "moderatism:" as Gans puts it, "individualism which violates the law, the dominant mores, and enduring values is suspect."

Research Questions

1) If these theorists are correct, then one would expect mainstream media coverage of a major social issue over time to concentrate its focus on the viewpoints of the powerful. Journalistic norms allow for elites to disagree, and for opponents to disagree with the viewpoints of the elite. Coverage constructed in such a way doesn't allow for media endorsement of a specific elite viewpoint, but it does allow elite viewpoints to set the parameters of the discussion. As Hall (1982) explains:

"Opposing arguments are easy to mount. Changing the terms of an argument is exceedingly difficult, since the dominant definition of the problem acquires, by repetition, and by the weight and credibility of those who propose or subscribe to it, the weight of 'common sense' (Hall, 1982: 81).

Thus, for this study, I sought to discover whether the New York Times coverage of Proposition 187 would be dominated by elite viewpoints. The elites whose viewpoints I most closely examine were the

top California politicians where were running for office in 1994 at the same time that 187 was being debated: gubernatorial candidates Pete Wilson and Kathleen Brown and senatorial candidates Dianne Feinstein and Michael Huffington.

2) Omi and Winant argue that the backlash against racial minorities in the United States since the 1970s is primarily expressed in three discourses: neoconservative "racially colorblindness," the New Right demonization of poor non-white populations, and the neoliberal discourse of racial universalism that acknowledges social problems but refuses to address the racial aspects of these problems on the grounds that racial discussions are "divisive." Although these racial discourses weren't necessarily created by political elites, Omi and Winant explain, they were embraced by elites as a way of gaining -- and maintaining -- power. As mentioned earlier, the Reagan Administration adopted both the neoconservative and New Right discourses in the 1980s, and the Clinton Administration endorsed neoliberalism in the 1990s.

Just as those "backlash" racial discourses grew out of the country's post-1960s social and economic problems, Proposition 187's targeting of a predominantly non-white undocumented immigrant population grew out of a major social and economic downturn in California. So, I wanted to see if I could find examples of Omi and Winant's backlash racial discourses in the Proposition 187 coverage. More specifically, I wanted to find out whether elite views on the racial aspects of 187 resembled those discourses.

Method

The study focuses on the universe of 89 New York Times stories published on Proposition 187, from the first story it ran on the issue in May, 1994, through Election Day in November, 1994, to the story it ran on Dec. 15, 1994, the day after a federal judge ruled that most of the proposition was unconstitutional. The Times was chosen for analysis since it's widely viewed as the most influential U.S. newspaper: it has a large national circulation and its wire service stories appear in publications throughout the nation. Studies have found that it's the leading source of information for government elites and that its stories influence public policy (Weiss, 1974). Moreover, Gans (1979) found that the national networks and newsmagazines view the Times as a professional standard-setter, using it routinely to find out what it believes are the day's top stories and how it handles them (pp. 180-81).

Sumner offers five basic techniques for uncovering ideological formations in discourse (Sumner, 1979: 191-192): 1) the perception of repetitions of statements, words or phrases; 2) the perception of assumptions contained in certain statements; 3) the observation of inconsistencies within an argument or between the argument of one day and that of the next; 4) the observation that certain topics are never dealt with in the discourse, and 5) the grasp of the general drift of a systematic discourse or series of discourses.

Also useful was the definition of media frames provided by Gitlin (1980): "[p]ersistent patterns of cognition, interpretation, and presentation,

of selection, emphasis and exclusion by which symbol-handlers routinely organize discourse" (p. 7).

Finally, analysis of the ideological formations in the 187 discourse was guided by the three-point outline suggested by Foss (1996) for analyzing ideology in cultural artifacts:

1) Identification of the nature of the ideology. What is the preferred reading of the artifact? What does the artifact ask the audience to believe, understand, feel or think about? What are the particular characteristics, roles, actions or ways of seeing being commended in the artifact? What are the assumptions or premises of the artifact? What does the artifact suggest is unacceptable, negative, undesirable, marginal and insignificant?

2) Identification of interests included. Whose interests are privileged or favored in the ideology? Whose interests are negated, unexpressed, oppressed or not represented in the ideology?

3) Identification of strategies in support of the ideology. What rhetorical features of the artifact account for the rise to dominance of one ideology over others? What rhetorical strategies are used to create and support the ideology? How does the rhetoric legitimate the ideology and the interests of some groups over others?

Findings

a. Background

As mentioned earlier, the United States experienced an economic downturn in the 1970s, which was followed by a backlash against racial minorities (Omi and Winant, 1994). This pattern was reproduced in California in the 1990s (McCarthy and Vernez, 1997). During the 1980s, the California economy had grown by 350,000 jobs a year, and the immigrant population grew by 287,000 people each year. From 1990-95, however, the state endured its worst recession since the 1930s. During the recession's first three years, the state lost 135,000 jobs a year, while the immigration flow abated only slightly, down to an average of 270,000 people a year.

In this harsh economic climate, residents grew increasingly apprehensive of the growing non-white immigrant population -- in particular, the state's million or so undocumented immigrants, the vast majority of whom were non-white (McCarthy and Vernez). It was in this environment that the state sought to close its budget deficit by having the federal government cover the perceived high costs of providing services to the undocumented. Since enforcement of immigration laws is the sole responsibility of the federal government, state and local costs incurred by a failure of the federal government to prevent illegal immigration are arguably also a responsibility of the federal government. However, faced with federal inaction on this issue, another solution was proposed (McCarthy and Vernez: 235-237).

In early 1994, a petition began circulating in California to put on the state's November election ballot a proposal to deny social services, primarily education and non-emergency medical care, to undocumented immigrants. Such a measure was needed, proponents argued, because these services were costing the state billions of dollars it could ill afford to spend: indeed, the proposal was initially dubbed the SOS (Save Our State) bill. Once on the ballot, it became known as Proposition 187. After a long and heated debate, California voters overwhelmingly approved the measure (59 percent in favor, 41 percent against). But on Dec. 14, a federal judge blocked implementation of the proposition because it appeared to conflict with federal law.

b. Elite discourse

On California's election ballot of November 1994, voters were asked to make a decision not only on Proposition 187, but on candidates for governor and U.S. senator as well. When 187 became the dominant issue of the election, the four leading candidates for governor and senator -- Pete Wilson, Kathleen Brown, Dianne Feinstein and Michael Huffington -- were forced to take positions on the issue. The primary elite supporter of 187 was Wilson, the California governor, who would use his successful 1994 gubernatorial re-election campaign as a springboard for his pursuit of the Republican nomination for president in 1995. (Senatorial candidate Michael Huffington, who wound up losing to incumbent Sen. Dianne Feinstein in November, was also a 187 supporter.) Wilson, like the other 187 supporters, wanted to cut off social services to undocumented immigrants. According to a Sept. 25 Times story, he also called federal immigration policy a "dismal failure" and wanted stronger border patrols and federal

reimbursement for the state's expenditures on services to the undocumented:

Mr. Wilson supports passage of the proposition, fully embracing the argument that economically pressed California must take drastic action to stem a costly "invasion" of illegal aliens because the Federal Government either cannot or will not.

"It's the two-by-four we need to make them take notice in Washington," he said of the initiative. "We will finally force Washington to accept responsibility."

Primary liberal opposition to 187 included State Treasurer Kathleen Brown, Wilson's opponent in the gubernatorial election, and Feinstein, the U.S. senator who was running for re-election. According to the Times Sept. 25 piece, Brown agreed that the federal government needed to do a better job of keeping out the undocumented; however, she thought 187 was not only a bad solution, but also an unconstitutional one:

...State Treasurer Kathleen Brown...opposes the measure on the ground that it would make a bad problem worse and eventually be declared unconstitutional.

"What we really need," she said, "is for the Federal Government to properly police our border and enforce laws already on the books."

Like many of the proposition's opponents, Ms. Brown is especially concerned about a section of the measure that would require parents of all schoolchildren, including American citizens, to prove legal residence. She calls that approach "invasive" and an affront to basic human rights.

In an Oct. 22 story on Feinstein's announcement of her opposition to 187, Feinstein agrees with Brown that 187 raises constitutional questions and also argues that the proposition had serious practical problems as well:

She argued that the initiative might lead Washington to cut off \$15 billion a year in Federal health and education money should it be determined that some of the proposal's tougher provisions trampled the rights of individuals.

Further, she said, the initiative is particularly flawed because it includes no provisions to speed the deporting of illegal aliens or to slow the number slipping across the border nightly.

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Equally troublesome, she warned, the initiative would throw thousands of young people out of school and onto the streets, where many might embrace lives of crime. She also warned that by cutting off nonemergency health care to illegal aliens, the state would run the risk of epidemics.

These elite themes are all reflected in the Times' own opinion on 187, presented in an Oct. 25 editorial (two weeks before the election). Like Feinstein, the Times states that 187 is impractical, considering that its "punitive provisions" could cause Washington to cut off as much as \$15 billion in aid. Like Brown, the Times believes 187 is mean-spirited. As the editorial phrases it:

"These benefits [for the undocumented] cost state taxpayers money. But the right answer is not to throw alien children and the ill onto the streets."

And like Wilson, the Times refers to "failures" in federal immigration policy (although it never states what, specifically, those failures are) and recommends that Washington reimburse California and other states for "the consequences of federal immigration policies."

When one turns to the Times' news stories on the issue, one finds that they present the 187 issue much the same way that the Oct. 25 editorial does -- as a fairly straightforward, two-sided debate. On one side of the issue, 187 supporters argue for denial of social services to immigrants and an increase in federal financial support to help deal with the undocumented. On the other, 187 opponents argue that such a proposal is not only mean-spirited but probably unconstitutional, and that a better solution is stricter enforcement of the border. These parameters for the discussion remain in place even when the sources quoted are non-elites. For example, although the Times' Sept. 25 story focuses on Wilson's and Brown's positions on the

issue, it also includes this position statement from the spokesman for Taxpayers Against 187:

"Sure there's an immigration problem," said Joel Maliniak, the organization's spokesman. "But the answer is to strictly patrol the border and strictly enforce laws about hiring illegals, not throw kids out of school and their parents out of health clinics. If the Federal Government concludes 187 impinges on people's civil rights, the proposition will backfire because Washington will then cut off the \$15 billion in health and school aid that it sends to the state each year."

Even when elite politicians or their spokespeople aren't used as spokespeople for a story, elite positions on 187 set the parameters of the discussion. In a Nov. 1 story on growing minority opposition to 187, sources cite constitutional issues as the primary reason for their opposition:

With Proposition 187 headed for a vote on Nov. 8, [Ruben] Rodriguez, who runs a bakery in east Los Angeles, is worried about America and its immigrant success story. He wonders what kind of opportunity the future will hold if the proposition is approved.

"Passing it would be a terrible step backward," he said. "I know there's an immigration problem. But 187 is no answer. It's just lashing out without rhyme or reason, and the people who will be targeted and questioned will be the people whose skin is not white, particularly Latinos and Asians. We can't let it pass."...

The requirement is nothing less than a constitutional insult to Miya Iwataki, a second-generation Japanese-American who is organizing Asian-Americans in Los Angeles to fight Proposition 187.

"The word 'suspect' just sends chills all through me," she said. "Am I to be treated different just because I don't look like the white majority?"...

"We've got to send a message to the rest of the nation that California will not stand on a platform of bigotry, racism and scapegoating," declared Joe Hicks, the executive director of the Los Angeles branch of the Southern Christian Leadership Conference, one of the country's major civil rights organizations.

c. Racial Discourse

When one studies the New York Times' presentation of the viewpoints of California's elite politicians on 187, one finds that although

they didn't agree on the issue, they did agree that undocumented immigrants were causing a major problem for the state. Their differences lie in their opinions on how to solve that problem. Pete Wilson sees 187 as a solution; Kathleen Brown and Dianne Feinstein argue for stricter enforcement of existing laws against undocumented immigration. And because the coverage focuses on the elite definitions of the issue, the belief that "illegal immigrants are causing a problem" was a key theme of the coverage. Unfortunately, by allowing that discourse to dominate its coverage, the Times either marginalized or ignored altogether alternative ways of looking at the undocumented immigration issue.

For example, a number of scholars have shown (recent analyses include Montejano, 1987; Gutierrez, 1995; Foley, 1997) that the undocumented have been an important source of labor for U.S. businesses for the past century. In fact, the understanding that the undocumented come to the United States looking for work is so widespread that both editorials and news stories in the Times and other mainstream newspapers state that jobs are most likely the lure bringing the undocumented to this country.

In its Oct. 25 editorial the Times states (without attribution) that jobs, not social services, are the lure that brings the undocumented to the United States:

Proposition 187, named "Save Our State" by its proponents, is based on the premise that California's social services are the main magnet drawing illegal immigrants across the border. Turning off that magnet, they argue, will deter new arrivals.

But no matter how harsh benefit policies become, the lure of California's jobs and wages are likely to keep attracting Mexicans, Central Americans and others over the border and keep most of the 1.5 million illegal aliens now estimated to be in the state from voluntarily returning home.

On other occasions, Times reporters indicate in their 187 stories (also without providing substantiating evidence) that jobs are what draws the undocumented. For example, in an article published on Oct. 30, 1994, reporter Ashley Dunn writes:

Proposition 187, called "Save Our State," would deny social services like schooling and non-emergency medical care to illegal immigrants. The visible targets of the measure are the waves of undocumented workers, but it underscores growing discomfort with the number of newcomers.

If it's true that the undocumented come to the United States for jobs, then presumably some responsibility for the immigration "problem" should be borne by the businesses who employ them. However, Times reporters never follow up unattributed comments like the ones above with any evidence that jobs are what draw the undocumented. In the story cited above, for example, Ashley Dunn interviews Kevin McCarthy, a Rand Corporation researcher who argues in a recent book that the undocumented join the U.S. labor force in greater percentages than legal immigrants. However, in the Dunn piece McCarthy doesn't comment on the jobs issue at all:

Kevin McCarthy, coordinator of California research for the Rand Corporation, said that for all the current angst over immigration, history suggests that the backlash will eventually recede as immigrants adapt and as society as a whole changes through exposure to the newcomers.

"I am optimistic about these things," Mr. McCarthy said. "Time is the only issue. All the evidence I see suggests that the kids and grandkids of these immigrants will become indistinguishable from the rest of society."

Although the Times allows McCarthy to present comforting words about the future of immigration, the present-day immigration "problem" remains untouched -- he doesn't comment in the story about jobs or any other aspect of the 187 issue. In this story, as with the other stories in its

coverage, the elite frame of "illegals are the problem" is allowed to remain unchallenged.

In addition, even when sources mention the jobs issue, their comments aren't followed up with further discussion. For example, in its Nov. 4 story on the so-called "nannygate" incident, in which it was disclosed that both Sen. Dianne Feinstein and Michael Huffington, her challenger in the senatorial election, had hired undocumented workers as housekeepers, the Times writes:

Ms. Feinstein opposes a much-disputed California ballot initiative, Proposition 187...

Mr. Huffington favors the initiative. Before it was disclosed that he had hired an undocumented nanny, he argued that the proposal would help reduce the hiring of illegal aliens. Ms. Feinstein says the initiative would be too Draconian but has called throughout her campaign for tighter enforcement of hiring laws and more patrolling of the border.

The article about Ms. Feinstein's housekeeper was sent over the Internet, the global computer network, by the Free Press.

Here, the candidates' positions against hiring the undocumented are invoked to highlight the apparent contradictions between their public positions and their personal practices. But clearly, larger issues are at stake as well. Huffington wants to reduce the hiring of illegal workers -- presumably that means he believes too many illegals are being hired. Is that the case, and if so, why are non-citizens being hired in the midst of a recession? Feinstein wants tighter enforcement of hiring laws, implying that existing laws against hiring the undocumented aren't being enforced properly. How could that be happening in a state so adamantly opposed to undocumented immigration? Unfortunately, none of these questions are addressed in this article, or in any other article in the Times 187 coverage.

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Elsewhere, the jobs issue is briefly invoked in a way that supports the "undocumented are the problem" frame. In a Nov. 1 article, "Minorities Join California Fight," Mexican-American Jesse Laguna tells reporter B. Drummond Ayres Jr. that he's concerned about losing his job to an undocumented immigrant:

There's good support for 187 in the Mexican-American community, and it should come as no surprise. An illegal Latino can very easily cost a Latino-American a job, and nobody understands that better than the American.

This quote appeared in the story as an example of why some Latinos support 187 -- with no further elaboration offered. In this context, the implication is that it's the immigrant's fault that the U.S. citizen isn't getting a job, rather than the fault of the people doing the hiring. In addition, there's no evidence provided, in this or any of the other Times stories on 187, of whether Laguna's fear was justified -- or of whether 187 would keep the undocumented from crossing the border in search of jobs.

Another way the Times perpetuates the "illegals are the problem" frame is by denying the undocumented a voice in the coverage. This study found no interviews with the undocumented on the 187 issue until after the proposal passed, when the Times did a story on how the undocumented were reacting to the new law (New York Times, Nov. 21, 1994: In California, Uncertainty Chills Illegal Aliens). Although the Times did interview non-official sources, these were U.S. citizens exclusively until after 187 was approved.

Why this reluctance to use the undocumented as sources, given the fact that they were the focus of the issue? As mentioned earlier, one of the

"enduring values" Gans found in the news was social order, and clearly, the undocumented are violating that order by entering the country illegally. In its Oct. 25 editorial, the Times reminds its readers that the undocumented are outlaws in America: "Illegal aliens, by definition, have no legal right to be in the U.S." In addition, Gans argues, the news is much less concerned with the reasons for the social disruption (in this case, the reasons that the undocumented are here in violation of the law) than it is with the restoration of order (in this case, how to prevent the undocumented from causing problems). Gans also points out that how one defines "order" depends on who's doing the defining: as mentioned earlier, Gans found that the news tends to support the social order of upper-middle class, white, male business and professional people -- in other words, the social order of the elites.

Another enduring value Gans found was "ethnocentrism": the valorization of American values and practices, and the stigmatization of people, places and things seen to be in conflict with those values. An example from the Times that would seem to fit that category is its repeatedly referring to the undocumented as "aliens." Although linguistically correct, this usage reminds us that the Times is serving as a conduit for the socially-sanctioned practice of labelling non-residents as being somehow strange or hostile. Perhaps this deviance is what justifies paternalistic treatment by presumably well-meaning members of the dominant culture -- such as New York Times editorial writers. "[Social services for the undocumented] cost taxpayers money," states the Oct. 25 editorial. "But the right answer is not to throw alien children and the ill onto the streets." The fact that the Times feels compelled to give its well-educated readers a lecture in common decency implies that it sees the desire

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to punish the undocumented as perhaps misguided -- but quite understandable.

The Times further supports the "undocumented immigrants problem" frame by not challenging 187 supporters' claims that the undocumented come to the United States to get free social services, despite comments by Times reporters and editorial writers that they don't believe those claims are true. In story after story the Times repeats those claims without ever asking 187 supporters for substantiating evidence.

Consider this excerpt from a Times story on May 22, 1994, one of its first on 187:

...In addition to cutting off free social services, the proposal would require teachers, health care workers and the police to report the presence of any "apparent illegal immigrants" they deal with.

Without these services, argued Harold Ezell, one of the initiative's authors and a former Western regional chief of the Immigration and Naturalization Service, illegal aliens would "go back where they came from."

Opponents of the proposal acknowledge that they will have a hard time defeating it...

As this excerpt shows, the SOS supporter, Ezell, is allowed to express his belief that the undocumented are here for services, without being asked to provide any evidence of that. Instead, the reporter switches in the next paragraph to comments from the measure's opponents -- on another topic.

Further, 187 supporters claim the costs of providing services to the undocumented are so high that the state is going bankrupt because of it. An

Oct. 30 Times story, "In California, the Numbers Add Up to Anxiety," begins by quoting a 187 backer on this topic:

"Enough is enough," said William King, executive vice president of Americans Against Illegal Immigration, based in Southern California. Mr. King is a moving force in putting an anti-illegal immigration proposition on next week's statewide ballot. "We're going broke in this state. It's just the enormity of the situation."

But again, the Times never provides any documentation to back up or refute this claim, despite the Times' own claim in a Sept. 25 story that "reliable figures on illegal immigration and its cost to Federal and state agencies are difficult to come by because of the inherently shadowy nature of the problem."

Conclusion

Elite sources covered by the Times didn't agree on 187 -- but by concentrating its focus on elite definitions of the issue, the Times allowed the elite to set the parameters of the discussion. Also, the Times focus on the California elite's identification of the undocumented as "the problem" seems to resemble the backlash racial politics outlined by Omi and Winant in that it successfully marginalizes a predominantly non-white population without overtly stigmatizing them because of race.

Omi and Winant (1994) argue that one of the enduring legacies of the Civil Rights movement of the 1950s and 1960s is that the principle of racial equality of opportunity has become so firmly established in mainstream political discourse that to publicly argue against it is to stigmatize oneself politically and socially. However, forms of racial

backlash that have emerged in the last two decades allow their proponents to marginalize racial groups without resorting to the overt racisms of the past. For example, as mentioned earlier, Reeves and Campbell (1994) argue that the New Right, through its War on Drugs, blamed drug use and other problems of poor non-whites living in the nation's inner cities on the moral decay of poor populations rather than on the myriad social ills of the time. Thus, rather than describing inner-city residents as being deviant because they had black or brown skin, they were described as deviant because of various moral failings. This discourse was embraced not only by conservatives, but by liberals as well. For example, Sen. Charles Robb, President Lyndon Johnson's son-in-law, said that in LBJ's time, racism severely limited social opportunities for African-Americans. Now, however, "it's time to shift the primary focus...to [African-Americans'] self-defeating patterns of behavior, the new enemy within" (Reeves and Campbell: 100).

According to Reeves and Campbell, the media's frame of the War on Drugs was largely shaped by this New Right discourse embraced by elite politicians across the political spectrum. Similarly, the New York Times coverage of Proposition 187 was shaped by the discourse of California's elite politicians (both liberal and conservative) that focused on the predominantly non-white population of undocumented immigrants as "the problem." By framing the undocumented as deviant, the Times coverage helped perpetuate the elite "blame the victim" discourse that diverted public attention from other important aspects of the complex immigration issue, such as the significant extent to which U.S. business is dependent on cheap immigrant labor.

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"Capote's Legacy: The Challenge of Creativity and Credibility in Literary Journalism"

Abstract:

Thirty-five years ago (1965), Truman Capote published his best-selling "nonfiction novel," In Cold Blood. The book has been both praised for its compelling writing and criticized for its inaccurate and misleading reporting. The legacy of Capote reflects the enduring challenge facing authors of literary journalism in producing creative and credible works. This paper examines Capote's historical contributions to the craft of narrative nonfiction writing and the critical response to In Cold Blood since the 1960s.

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"Capote's Legacy: The Challenge of Creativity and Credibility in Literary Journalism"

Introduction

Literary journalist Tom Wolfe has written:

The most gifted writers are those who manipulate the memory sets of the reader in such a rich fashion that they create within the mind of the reader an entire world that resonates with the reader's real emotions. The events are merely taking place on the page, in print, but the emotions are real. Hence the unique feeling when one is absorbed in a certain book, 'lost' in it.¹

For decades author Truman Capote has been praised for the resonant, literary quality of his book In Cold Blood: A True Account of a Multiple Murder and Its Consequences.² This ability to provoke an emotional response in his readers has become one of the cornerstones of the controversial author's legacy. But since the book's publication in 1965, critics have continued to attack Capote's methods, such as his alleged use of imagination instead of fact in writing portions of this nonfiction work.

After 35 years, Capote's book In Cold Blood remains a seminal example of the strengths and weaknesses of literary journalism. This paper reviews the historical response to In Cold Blood from biographers, critics, literary journalism historians and contemporaries. Using these writings and analyses, excerpts of In Cold Blood, and original research, this paper evaluates Capote's work of literary journalism based on two criteria:

1) artistic merit (creativity) and 2) journalistic merit (credibility).

These criteria are based on what Talese and Lounsberry discuss as objectives of literary journalism (i.e., literature of reality): "... should have the texture, the rhythm, the pacing, the coloring, and the drama of a work of art, yet it should hold to the standard of verifiable truth."³

Artistic Merit

Truman Capote, who began his literary career as a novelist and playwright, turned to journalistic writing in November 1959 after reading of the brutal killing of a Kansas family. He would spend more than five years researching, reporting and writing his "nonfiction novel" on the murders and their aftermath. He decided to write In Cold Blood because he believed that "journalism, reportage, could be forced to yield a serious new art form."⁴ Capote further claimed that to be a "good creative reporter, you have to be a very good fiction writer."⁵

According to biographer Clarke:

Truman had long maintained that nonfiction could be both as artful and as compelling as fiction. In his opinion the reason it was not—that it was generally considered a lesser class of writing—was that it was most often written by journalists who were not equipped to exploit it. Only a writer 'completely in control of fictional techniques' could elevate it to the status of art.⁶

Literary journalism historian Weber wrote that In Cold Blood was Capote's "experiment to see if the novel's emotional reach could be built on the foundation of a wholly factual account."⁷ Weber discussed the concept of artistic merit or what makes Capote's work of journalism—*literary* journalism—when he noted that the author "through selection, arrangement, emphasis, and other literary devices, discovers some meaning or theme in his factual materials. The difference is the difference between journalism and art."⁸

Weber grounded his analysis of Capote in the nonfiction world where the author must remain true to documentary fact. But he stated that Capote sought "literature's truth, that sense of being drawn into a world of meaning and inner coherence."⁹

Literary journalism historian Berner wrote that Capote succeeded in his artistic quest, stating that the author "... deserves credit for helping elevate the place of nonfiction in the world of literature."¹⁰

Since the book's publication in 1965, several writers, reviewers and officials involved in the murder case have had high praise for Capote's work:

- In September 1965, when the first installment of In Cold Blood was published in The New Yorker, Kansas Bureau of Investigation agent Harold Nye wrote to Capote:

It's tremendous. Now I can appreciate the painstaking effort you have given to this little murder scene in Kansas. I found myself caught in the web of the story to the point that I couldn't stop to eat. At the end of part one, I told the wife, 'By God, the old boy has really got something here.'¹¹

- "In Cold Blood is a masterpiece," proclaimed Conrad Knickerbocker in The New York Times Book Review, January 14, 1966.¹²

- Jimmy Breslin, columnist for the New York Herald Tribune, wrote on January 19, 1966:

The important thing is (it) could affect the type of words on pages you could be reading for a while. This Capote steps in with flat, objective, terrible realism. And suddenly there is nothing else you want to read.¹³

- On January 31, 1966, Hilton Kramer in The New Leader praised Capote's "prose rhythm of a superior reporter," noting that, "Much of Capote's skill has gone into rendering this moral contrast of the victims and their executioners with exceptional pictorial vividness."¹⁴

- In her review in Harper's Magazine, February 1966, author Rebecca West wrote, "Nothing but blessing can flow from Mr. Capote's grave and reverent book."¹⁵

- On February 3, 1966, in The New York Review of Books, F.W. Dupee wrote that, "In Cold Blood is the best documentary account of an American crime ever written."¹⁶

- George Garrett wrote in the February 1966 issue of The Hollins Critic, "Using his gifts for a controlled and charged language and a beautiful style to advantage, he has arranged the telling, the sequence of related events, in such a way that the reader is compelled to share the whole urgent experience."¹⁷

- "Truman Capote's In Cold Blood is a cross between a detective story and a crime documentary...The emphasis is on the fact, not on the fiction, on the recreation, not creation," wrote William Phillips in a May 1966 article in Commentary.¹⁸

- In Malin's 1968 collection Truman Capote's In Cold Blood: A Critical Handbook, reviewer David Galloway wrote:

... the book which grows from years of painstaking research is a social document of undeniable significance. It is also a major work of literature in its own right, for only a writer of exceptional talent could so skillfully have directed our attention to the larger issues which rest behind the 'facts' of the case.¹⁹

- Literary journalist Gay Talese, in a January/February 1973 Writer's Digest interview by John Brady, classified Capote as: "Really a skilled reporter, a very fine reporter. And an awfully good writer."²⁰

- John Knowles wrote in the April 1988 issue of Esquire : "Capote's book held a mirror to a real-life happening and reflected it to readers all over the world."; "... the economy, grace, precision use, and shapeliness of the book broke into a new kind of higher journalism."²¹

- On March 1, 1999, In Cold Blood was ranked 22nd on New York University journalism department's list of the top 100 works of journalism in the United States in the 20th century.²²

Literary Journalistic Techniques

In writing In Cold Blood, Capote demonstrated his talent for the craft of narrative nonfiction writing through his use of several literary journalistic techniques: *immersion/saturation reporting, extended dialogue/internal monologue, characterization, description, metaphor/simile, imagery/symbolism/theme, dramatization (scenes, parallel narratives, transitions), irony/foreshadowing/flashbacks and point of view.*

Capote's primary fact-gathering strategy was *immersion and saturation reporting* to research the crime and its aftermath, spending more than five years and recording 6,000 pages of notes, including correspondence, court records, extended interviews, newspaper/magazine accounts, diary entries and weather reports.²³

Whether or not Capote succeeded in writing a nonfiction novel or a journalistic account that achieved artistic (literary) merit is still being debated in 2000. What is part of the historical record is Capote's dedication to the use of *saturation reporting* techniques in researching the book. Capote spoke of such a commitment in a 1966 interview with George Plimpton, citing the enormous amount of work involved and stating that the relationship of the author and his sources is a "full 24-hour-a-day job":

Even when I wasn't working on the book, I was somehow involved with all the characters in it—with their personal lives, writing six or seven letters a day, taken up with their problems, a complete involvement. It's extraordinarily difficult and consuming, but for a writer who tries, doing it all the way down the line, the result can be a unique and exciting form of writing.²⁴

Capote's information gathering was documented by individuals directly connected with the case and cited by reviewers:

- Lead investigator Al Dewey recalled that:

At the press tables, from the opening gavel and for every minute of the trial thereafter, sat Truman Capote and Nelle Harper Lee furiously taking notes. It was at the trial that Capote, along with the public and the press, heard for the first time how the murders were committed.²⁵

- In his book review for the New York Herald Tribune, Maurice Dolbier wrote that Capote had recorded "this American tragedy in such depth and detail that one might imagine he had been given access to the books of the Recording Angel."²⁶

- Author Kenneth Reed observed how Capote used his fact gathering for artistic purposes: "The use of detail helped Capote give the facts, disclosing them not in a straight forward newspaper fashion but as a creative artist selecting details, printing them, and reiterating them as much as a painter repeats a line or color for meaning or intensity."²⁷

In his reporting Capote relied on in-depth interviews to generate
a) *extended dialogue*, b) *internal monologue* and anecdotal information
from his sources:

- a) 'The only sure thing is every one of them has got to go.'
'Seems like a lot of it. To be so sure about.'
'Ain't that what I promised you, honey—plenty of hair on them-
those walls?'²⁸
- b) Dick dropped the binoculars into a leather case, a luxurious
receptacle initialed H.W.C. He was annoyed. Annoyed as hell.
Why the hell couldn't Perry shut up?²⁹

The use of extended dialogue and internal monologue, techniques
possible in nonfiction "only through the most searching forms of
reporting," arguably enhanced the book's dramatic intensity.³⁰

Capote is credited with presenting in-depth *characterization* of the
two killers, their victims, criminal investigators, and selected townspeople.
In literary journalism, characterization transcends the conventions of
traditional (deadline-driven) reporting with portrayals of people with
psychological depth.³¹ Wolfe described this technique as "... giving the full
objective description, plus something that readers had always had to go to
novels and short stories for: namely, the subjective and emotional life of
the characters."³²

According to Hollowell, Capote's greatest accomplishment was his
characterization of the murderer Perry Smith. Hollowell noted that
Capote's concern for character analysis and moral ambiguity, in a
novelistic fashion, dominated In Cold Blood.³³

The lead investigator on the Clutter murder case agreed with Hollowell's opinion and provided insight into Capote's reporting methods. Alvin (Al) Dewey wrote that after the trial, Capote obtained the permission of the defense attorneys to talk to Smith and Hickock. He gained the killers confidence completely, and they talked to him often and freely. Dewey said that from these interviews, Capote gleaned the facts and insights, the details and tales, that eventually made up a large part of his book. Dewey added, "Of the many characters in Capote's story of the murder case, none were more finely drawn than Smith and Hickock."³⁴

Literary journalism historians Kerrane and Yagoda similarly praised Capote's portrayal of Perry (Smith) and Dick (Hickock). They stated that, "For a journalist to re-create events he did not witness requires a prodigious amount of reporting, and Capote could not have written In Cold Blood had he not met the two men after their capture, obtained their sympathy and cooperation, and interviewed them for hour after hour."³⁵

Yet Kerrane and Yagoda also questioned Capote's credibility:

Even so, novelistic re-creation raises new issues of accuracy. In traditional journalism, unless an event is witnessed by a reporter, every fact is reflexively attributed to a source. Here, Capote implicitly pledges, for example, that Dick told a particular joke in certain particular words. It is a pledge he cannot back up.³⁶

Kerrane and Yagoda concluded their commentary on In Cold Blood by arguably giving Capote the benefit of the doubt regarding his veracity as a reporter/author:

Re-creating events is now a journalistic convention, sometimes practiced very honorably, sometimes less so. Dialogue remains sticky for all: how can any witness remember exactly what was said years, months, or even days before? The questions and concerns surrounding the technique will not be soon resolved, but it is indisputable that Capote, with his novelist's ear, heard what his characters could have said and transcribed it more faithfully than any journalist before or since.³⁷

Capote employed evocative *description* throughout his true-crime book. For example, he wrote that Herb Clutter's teeth were "unstained and strong enough to shatter walnuts."³⁸ He described one of the killers (Dick Hickock) as "... the left eye being truly serpentine, with a venomous, sickly-blue squint...."³⁹ He portrayed Mrs. Sadie Truitt, the town's mail messenger, as "A stocky, weathered widow who wears babushka bandannas and cowboy boots."⁴⁰

Distinctive literary journalistic description lies in the inclusion of details. To illustrate this, two traditional journalistic descriptions of Dick Hickock's execution were contrasted with a literary journalistic treatment.⁴¹

1) Traditional: The April 14, 1965, issue of The New York Times described the execution as follows:

The trap was sprung on Hickock at 1:19 a.m. in the corner of a dingy warehouse.

2) Traditional: The November 10, 1984, tabloid issue of the Garden City (Kan.) Telegram wrote that:

... the executioner pulled the lever which opened the trap door below Hickock's feet. He dropped to his death...the straps about his body and the rope around his neck were cut. With face still masked, he was placed on a stretcher, covered with a sheet and carried off in a black hearse.

These descriptions were then compared with Capote's use of descriptive details in In Cold Blood:

3) Literary:

The trap door was opened, and Hickock hung for all to see a full twenty minutes...A hearse, its blazing headlights beaded with the rain, drove into the warehouse, and the body, placed on a litter and shrouded under a blanket, was carried to the hearse and out into the night.⁴²

In addition to distinctive detail, Capote's used such fictional devices as *metaphor and simile*. He described Perry Smith's childhood metaphorically: "They [he and his siblings] shared a doom against which virtue was no defense."⁴³ Smith was later characterized "as lonely and inappropriate as a sea gull in a wheat field."⁴⁴

Imagery, symbolism and theme were also integral to the storytelling of In Cold Blood. Consider the image (and mood) conveyed in the book's opening and closing:

Opening:

The village of Holcomb stands on the high wheat plains of western Kansas, a lonesome area that other Kansans call 'out there.'⁴⁵

Closing:

... he [Dewey] walked toward the trees, and under them, leaving behind him the big sky, the whisper of wind voices in the wind-bent wheat.⁴⁶

Weber noted the evocative quality of the book's ending:

... drawing us out of the account of waves of feeling for both the Clutters and the killers, for lives unrealized and cut short, and leaving us with an evocation of the serene order of the landscape, an order that has been violated yet persists, somehow larger and more enduring than man's evil acts.⁴⁷

In the March 18, 1966, issue of The Spectator, Tanner cited Capote's intention to achieve "mythic significance" of his factual account, as he described the *symbolism* of In Cold Blood: "For here is a 'true' parable of the outlaw against the community; the roving life of random impulse cutting across the stable respectability of continuous ambition; the gangster versus the family man...the terrible meeting of the cursed and blessed of America."⁴⁸

In 1968, Galloway similarly focused on Capote's *symbolic* images: "...the Clutters' way of life was an anachronism, but a genial and alluring one—the small but influential seed of reality at the heart of the American dream."⁴⁹

Galloway praised Capote's artistic use of *theme* when he wrote, "Like all great works of literature, the implication of In Cold Blood, and the richness of its narrative technique, defy any simple reduction into categories, but one unifying theme—the metamorphosis of dream into nightmare—returns again and again to haunt the reader's imagination."⁵⁰

In Cold Blood has been credited for its *dramatization* (e.g., scenes, parallel narratives, transitions). In 1988 Clarke wrote:

Employing the skills he had learned as a screenwriter, he presents his main protagonists in short, cinematic *scenes*: the Clutters, unsuspectingly awaiting their fate in the shadows of those dignified grain elevators, and their killers, racing across Kansas to meet them, Nemesis in a black Chevrolet...Together, victims and killers are America in microcosm—light and dark, goodness and evil.⁵¹

In 1980 Weber focused on Capote's "skilled use of *parallel narratives*," a technique common to literature. He noted how in the book two stories were always being told: "first the stories of the killers, Dick Hickock and Perry Smith, set against those of the murdered Clutters, later Dick and Perry set against the forces of law and order."⁵²

In 1996, authors Talese and Lounsberry analyzed another of Capote's dramatic narrative devices—"artful *transitions* [that] bring unity to a narrative, which is, in reality, jumping back and forth between two sets of characters and varying geographical locales.":

After introducing 'the master of River Valley Farm, Herbert William Clutter' [eating an apple and glass of milk] in his first narrative sequence, Capote smoothly segues to present Mr. Clutter's murderer with the intriguing three-word opening phrase: 'Like Mr. Clutter, the young man breakfasting in a cafe called the Little Jewel never drank coffee.' He uses sounds (a car's honking, a brother calling) to segue smoothly back from the murderers to introduce his heroine, sixteen-year-old Nancy Clutter.⁵³

Capote utilized other literary devices in his book, including *irony*, *foreshadowing* and *flashbacks*. It is *ironic* that Herb Clutter signed a new life insurance policy the afternoon before his murder, and that a prisoner's (Floyd Wells) lie about money in a safe led Hickock and Smith to their fateful destination. Perhaps the ultimate irony is Capote's allegation that the murders themselves were the result of a psychological accident (e.g., "Perry never meant to kill the Clutters at all. He had a brain explosion.")⁵⁴; (e.g., "... the victims might as well have been killed by lightning.")⁵⁵

In *foreshadowing* Nancy Clutter's demise, Capote wrote of "... the dress in which she was to be buried"⁵⁶ In telling Perry Smith's story, Capote often relied on *flashbacks* to his childhood to try to understand what may have led to the grisly murders years later: "... a final battle between the parents, a terrifying contest in which horsewhips and scalding water and kerosene lamps were used as weapons, had brought the marriage to a stop."⁵⁷

Capote used a third-person, omniscient *point of view* in writing his nonfiction account of the Holcomb, Kan., murders. He deliberately kept himself out of the manuscript (as a character), and his point-of-view provided greater flexibility in conveying the thoughts and actions of several characters. According to Wolfe, Capote was employing "the technique of presenting every scene to the reader through the eyes of a particular character, giving the reader the feeling of being inside the character's mind and experiencing the emotional reality of the scene...."⁵⁸

In assessing the cumulative impact of Capote's literary journalistic techniques on achieving artistic merit, Galloway wrote that the published pages of his work did not represent a simple condensation or summary of thousands of pages of notes and transcripts. He focused on Capote's careful and artful selection of details, calculated to evoke a variety of moods, to establish character, to produce suspense, and to convey a number of intricately related themes. Galloway wrote that it was in the selection of such details and in their arrangement that the technique of the novelist was vividly apparent.

He commented on the "gaps in the narrative which have clearly been filled out of the writer's own imagination." But he said these gaps were "filled (despite the occasional moment of self-indulgent prose) in such a way as to grow organically out of the facts themselves, or to give at least the crucial appearance of doing so." Galloway's praised the "immediacy and involvement" of In Cold Blood as evidence of the "shaping intelligence of a sensitive and experienced novelist."⁵⁹

Journalistic Merit

Credibility Issues

Capote's In Cold Blood has been scrutinized and criticized on several issues related to journalistic merit, including his alleged and/or documented *fact changing; invention of scenes; recreated dialogue; reliance on memorization* (versus tape recording or note-taking); and an *overly sympathetic portrayal of Perry Smith*.

Some who have praised In Cold Blood's creativity have questioned its credibility. This dualistic perspective was illustrated by Dupee in his 1966 review:

But if In Cold Blood deserves highest marks among American crime histories, it also raises certain questions. What, more or less, is the narrative intended to be; and in what spirit are we supposed to take it? While the book 'reads' like excellent fiction, it purports to be strictly factual and thoroughly documented. But the documentation is, for the most part, suppressed in the text—presumably in order to supply the narrative with a surface of persuasive immediacy and impenetrable omniscience.⁶⁰

Dupee noted that Capote's claims to veracity were not set forth in any detail in his book. They were merely asserted in a brief introductory paragraph wherein his indebtedness to several authorities ranging from the Kansas police to William Shawn, editor of The New Yorker, was acknowledged. Dupee questioned the verifiability of the book's "numerous angles, including Mrs. Clutter's dream speech and the social portrait of Holcomb." He added, "To ask such questions of a book that is otherwise so praiseworthy may be captious; but to praise without asking is foolish."⁶¹

Capote's assertions regarding the veracity of In Cold Blood were provocative to say the least. In his 1966 interview with Plimpton, Capote discussed how he had trained himself to transcribe conversations without using a tape recorder or note-taking, which he said "artificializes the atmosphere of an interview, or a scene-in-progress." Capote said he could "get within 95 percent of absolute accuracy, which is as close as you need."⁶²

Capote would later reassert his claims with interviewer Grobel:

I didn't choose that subject because of any great interest in it. It was because I wanted to write what I called a nonfiction novel—a book that would read exactly like a novel except that every word of it would be absolutely true.⁶³

Weber addressed the critical (and ethical) use of fact in works of literary journalism (e.g., In Cold Blood) when he wrote:

The basic critical problem with literary nonfiction cast in the form of fiction is always credibility. Because such work reconstructs events instead of describing them and because it draws on a variety of techniques associated with fiction—dialogue, point of view, interior monologue, evocative detail—it invariably raises questions about the writer's commitment to fact.⁶⁴

Capote's statements about the factual accuracy of his work concerned at least one prominent editor, challenged journalistic "investigators" who set out to debunk Capote's claims, and raised the ire of critics who dismissed Capote's self-proclaimed artistic achievements.

In researching his history of The New Yorker (About Town: The New Yorker and the World It Made), Yagoda examined the original galley proofs on which New Yorker editor William Shawn read In Cold Blood for the first time:

In the first section, where Capote is describing what took place in the Clutter house the day of the murders, Shawn repeatedly wrote in the margin, 'How know? d[iscuss] w/author.' I don't know if he did ever discuss this with Capote, but I can say that when the piece appeared in the magazine and then as a book, there were virtually no changes from that original galley.⁶⁵

Berner noted that Shawn reportedly said that he had second thoughts later and "almost wished he hadn't published it," although when he died The New York Times attributed him with editorial acumen for having done so.⁶⁶

The New Yorker and other publications employ fact checkers who verify research and review manuscripts before publication. Clarke wrote about a trip Capote made back to Kansas in October 1964 with New Yorker fact checker Sandy Campbell. Campbell noted in his diary that Alvin (Al) Dewey and Capote were friends; Capote called Alvin "Pappy" and Alvin had nicknamed Capote "Coach." Campbell, who had been assigned at Truman's request to check the accuracy of In Cold Blood, said that that he had worked with many New Yorker writers, including A.J. Liebling, Richard Rovere and Lillian Ross, but "Truman was the most accurate."⁶⁷

When the book was published in The New Yorker in fall 1965, each part [of the four serialized issues of In Cold Blood] contained this editor's note: "All quotations in this article are taken either from official records or from conversations, transcribed verbatim, between the author and the principals."⁶⁸

Clarke commented on Capote's liberal (novelistic) attitude that raised concerns about his true commitment to factual accuracy: "Yet within those boundaries, he believed that there was far more latitude than other writers had never realized, freedom to juxtapose events for dramatic effect, to re-create long conversations, even to peer inside the heads of his characters and tell what they were thinking."⁶⁹

In 1966 Tanner wrote:

I am not saying that Capote has twisted the facts so that life appears as a Capote novel. But tampering there has been, and a subtle exploitation or highlighting of ghastly or pathetic effects which leaves me feeling a little uneasy about the enormous appeal of this book.⁷⁰

Garrett, who first reviewed In Cold Blood in 1966, revisited the book in 1996 and addressed some of Capote's alleged manipulations and misrepresentations:

... when pictures of the people involved appeared in the magazines, it was clear that Capote's descriptions and judgments were subjective, literary. The people did not look much like the people he described. Later it turned out that they did not do or say all the things he attributed to them; and some things neither he nor anyone else could have known.⁷¹

Perhaps no author before or since has so thoroughly challenged the factual accuracy of In Cold Blood as Phillip K. Tompkins did in his June 1966 article in Esquire ("In Cold Fact" with subhead: "We might ask of the nonfiction novel that it contain no fiction. And if it does, why does it?").⁷²

Tompkins discussed several inaccuracies, inventions or misrepresentations in the book. He cited a Kansas City Times article of January 27, 1966, by Robert Pearman, which discussed such events as the sale of Nancy Clutter's horse, Babe. Capote had written the auction scene as very melancholy with the horse bought for \$75 by a Mennonite farmer, who planned on using it for a plow horse. In reality, the bidding was quite lively, and the buyer—the father of the postmaster—paid \$182.50. He had no plans for using it as a plow horse. Instead Babe was eventually used by the YMCA to teach kids to ride. Also, in the Pearman story, according to Nancy Clutter's boyfriend, Robert (Bobby) Rupp, Capote exaggerated about him being a star basketball player and about the frequency which he visited the Clutter home when he was dating Nancy.⁷³

Tompkins was concerned about the net effect of such errors:

If the discrepancies in Capote's account were all as minor as these, one might easily dismiss them as quibbles. They lead, however, into questions of greater import—questions of how much license a purportedly objective reporter can be permitted in selecting and interpreting one set of facts as opposed to another equally or even more convincing set of facts.⁷⁴

Tompkins proceeded to dig deeper into Capote's account of key developments in the book, such as Perry Smith's confession. He stated that local newspaper reports of Al Dewey's testimony at the trial did not conform with Capote's version of the contents of the confession. Further, Dewey had Smith committing the murder (of Herb Clutter) with full consciousness and intent. This description of Smith's mental state contradicted Capote's version, which he characterized as a random act of violence—a "brain explosion."

In his analysis, Tompkins allows for the possibility that because Capote had as many as 200 or more interviews with the killers while they were on death row, he may have been able to gather more in-depth information about Smith's mental state than Dewey ever could.⁷⁵

But Capote's portrayal of Perry Smith was further challenged by Tompkins, who reported that the Undersheriff Meier's wife, whose kitchen was adjacent to Smith's cell when he was housed in the Garden City (Kan.) County Jail, denied ever hearing Smith utter the words, "I'm embraced by shame," as Capote described in his book.⁷⁶

Perhaps a more important challenge to a true characterization of Smith occurs at the time of his execution. The account provided by Bill Brown, editor of the Garden City Telegram, contradicts Capote's recording of Smith's final words ("But I do. I apologize."). According to the Tompkins article:

He (Brown) stood four feet from Smith when these (last) words were spoken (Capote was unable to watch; he walked away, out of earshot). Brown took notes. He immediately compared his notes with those of the wire-service representatives standing on either side of him—they were identical...Brown is today convinced that Smith did not apologize.⁷⁷

Tompkins concluded that Capote, the novelist, prevailed over Capote, the journalist, in the writing of In Cold Blood. ("Art triumphs over reality, fiction over nonfiction.") Tompkins said that instead of premeditated murder performed in cold blood, Capote substituted unpremeditated murder performed in a fit of insanity.

He said that by imparting conscience and compassion to Perry, Capote was able to convey qualities of inner sensitivity, poetry and a final posture of contrition in his hero. ("The killer cries. He asks to have his hand held. He says, 'I'm embraced by shame.' He apologizes...")

Tompkins wrote that, "Perhaps we should not have expected anything different from Capote." He then cited Capote's good friend [and research assistant] Harper Lee, who had told Newsweek: "He [Capote] knows what he wants and he keeps himself straight. And if it's not the way he likes it, he'll arrange it so it is."⁷⁸

Tompkins concluded that Capote had made both a "tactical and moral error" by insisting that "every word" of his book was true, making himself vulnerable to those readers (and journalists) willing to challenge such a bold, sweeping claim.⁷⁹

Fourteen years later, Weber commented on Tompkins critique, stating that his point was that the artistic intentions of the book caused Capote to shape the account unconsciously in a way that called into question its factual authority. He said that Tompkins faulted Capote on several points, including some crucial details of the murder scene, but the weight of his criticism came down on Capote's sympathetic portrayal of Perry Smith as against Tompkins' conclusion that Perry was an "obscene, semiliterate and cold-blooded killer."⁸⁰

According to Clarke, perhaps the most brazen of Capote's "inventions" was the book's final scene between Al Dewey and Susan Kidwell at Nancy Clutter's gravesite. Clarke said that although the "newspaper sleuths did not know it—Alvin and Marie Dewey had been careful not to contradict Capote."

Clarke also provided fascinating insights into the book's final days when Capote, "following his usual custom," had anguished over his ending. Clarke wrote that Capote suffered so much from indecision that his writing hand froze and he was forced to compose on a typewriter. Capote debated whether to end the book with the executions or conclude with a happier scene? The author of In Cold Blood allegedly chose the latter scenario.

But since events had not provided him with a happy scene, he was forced to make one up: a chance, springtime encounter of Alvin Dewey Susan Kidwell, Nancy Clutter's best friend, in the tree-shaded Garden City cemetery, an oasis of green in that dry country. The Clutters are buried there, and so is Judge Tate, who sentenced their killers.

Susan is not completing the college that she and Nancy had planned to attend together, Nancy's boyfriend (Robert Rupp) has recently married, and Alvin's [Dewey] older son, who was just a boy on that murderous night, is preparing to enter college himself. The message is clear: Life continues even amidst death. It is almost a duplicate of the ending of The Grass Harp, which brings together Judge Cool and young Collin Fenwick in a similar reunion in a cemetery. But what works in The Grass Harp, which is a kind of fantasy, works less well in a book of uncompromising realism like In Cold Blood, and that nostalgic meeting in the graveyard verges on the trite and sentimental, as several otherwise admiring critics obligingly pointed out.⁸¹

Clarke's "smoking gun" statement by Capote is revealing of the author's novelistic intentions regarding his ending:

'I could probably have done without that last part, which brings everything to rest,' Truman admitted. 'I was criticized a lot for it. People thought I should have ended with the hangings, that awful last scene. But I felt I had to return to the town, to bring everything back full circle, to end with peace.'⁸²

In his article "The Clutter Case," which appeared in the Garden City Telegram on November 10, 1984, Alvin Dewey discussed Capote and the writing of In Cold Blood:

I came off bigger and better than life. Capote used me, because I coordinated the investigation, as a central figure ... maybe a hero. Often I was the spokesman who carried his story. Many of the words weren't mine, but the messages they imparted were correct enough.

Dewey explained how he and his wife had befriended Capote during the writing of the book:

The good part was that, at Capote's invitations, my wife and I had several interesting trips and met a lot of famous people. We went to New York City, Washington, D.C., and Palm Springs and were entertained royally by him and his celebrity friends.

When asked if the book gave an accurate account of the case, Dewey responded in the article:

Yes. It was based on facts. Capote observed first hand the trial, the prisoners on death row and the execution. He did a prodigious number of interviews and a lot of research. Out of the thousands of facts he worked with, he reported practically all of them accurately.

However, Dewey did challenge Capote on "a couple of things." He said he would always believe the killings happened the way Smith first confessed—that he killed Mr. Clutter and Kenyon and that Hickock killed Mrs. Clutter and Nancy. His impression was that Capote led readers to believe Smith killed them all. Dewey was firm in discussing something that Capote "definitely got wrong":

... that I closed my eyes when the murderers were hanged. I didn't. I watched the whole thing. I had worked hard to get them to the gallows and I was quite prepared to see them swing.⁸³

Another Kansas Bureau of Investigation (KBI) agent who challenged Capote's presentation of the "facts" of the executions was Harold Nye. He said Capote watched Hickock being executed, but when Smith came in, Capote "fell apart," ran out of the building and would not witness Smith's execution.⁸⁴

Nye's account contradicted Capote's own words in a letter to Donald Cullivan: "I was there. I stayed with Perry to the end."⁸⁵

Harold Nye said he "got into trouble" with Capote when the author sent Nye book galleys to approve. The material concerned Nye's trip to Las Vegas to get evidence on the killers. Nye said Capote's account was incorrect:

It was a fiction thing, and being a young officer, I took offense at the fact that he didn't tell the truth. So I refused to approve them... Accuracy was not his point. I took offense that he was changing the facts. He wasn't writing about our investigation... It was probably an insignificant thing, except I was under the impression that the book was going to be factual, and it was not; it was a fiction book.⁸⁶

According to Clarke, Capote's "fictional" techniques went beyond fact changing. He allegedly attempted to mislead Perry Smith about the title of the book and its timetable for completion:

Truman danced around the subject, pretending, until the day they were executed, that he was barely half-done and, in fact, might never finish. When they discovered his title—which said, in three words, that they had planned the murders—Truman lied and informed them they were wrong. But they knew better, and Perry indignantly told him so: 'I've been told that the book is to be coming off the press and to be sold after our executions. And that book IS entitled In Cold Blood. Whose fibbing?? Someone is, that's apparent.'⁸⁷

In 1980 Weber tried to put challenges to Capote's veracity, such as those brought by Tompkins, in a broader literary context:

Such inaccuracy, if it exists, is of course devastating. If Capote has distorted Perry's character, the book is fatally weakened as a 'true account.' But most readers know nothing of the Clutter murders beyond what Capote relates and so are in no position to measure the book as Tompkins does. Even if they could, such detective work might seem of small importance for the book patently reaches beyond its factual grounding to grasp the reader in the manner of the novel. It seeks to be, finally, a work of the literary imagination, and it is on this level that the reader can best measure it.⁸⁸

In 1968 Friedman similarly had argued that despite Tompkins' convincing arguments and claims of (Capote's) unreliability, "we must still believe in the essential authenticity and integrity of Capote's account."⁸⁹

But Friedman's conclusion and Weber's "literary" defense of Capote would not have likely swayed Kauffmann, who wrote in his 1966 review:

It is ridiculous in judgment and debasing to call this book literature. Are we so bankrupt, so avid for novelty that merely because a famous writer produces an amplified magazine crime-feature, the result is automatically elevated to serious literature just as Andy Warhol, by painting a soup-carton, has allegedly elevated it to art?⁹⁰

Two decades later, Clarke also challenged Capote's claims of "inventing" a new art form—the nonfiction novel:

In Cold Blood is a remarkable book, but it not a new art form. Nor was he the first to dress up facts in the colors of fiction. Although literary historians could refer to examples as far back as the seventeenth century, there were several of more recent vintage, including John Hersey's Hiroshima, Rebecca West's The Meaning of Treason, Lillian Ross's pieces for The New Yorker, and Cornelius Ryan's The Longest Day.⁹¹

In discussing historical precedents in literary journalism, Clarke could have also cited the nonfiction works of such authors as Swift (17th century); Defoe (18th); Dickens, Twain and Crane (19th); and London, Orwell and Hemingway (20th).

Conclusion

Capote's Legacy

When considering Capote's legacy, this paper contends that an examination of the impact of In Cold Blood on its author, the people of Holcomb, Kansas, and other literary journalists is warranted.

Clarke noted that Capote's life was dramatically altered by the writing and publication of In Cold Blood:

... he was no longer able to summon the energy to perform that magic act (i.e., using his imagination to manufacture his happiness). Nostalgia descended into sorrow, and to those who knew him well he seemed to be in perpetual mourning, overwhelmed by a sense of loss that was no less keen because he could not say precisely what it was that had been taken from him.⁹²

According to Al Dewey and Robert Rupp, Capote's book has had a lasting effect on the residents of Holcomb, Kansas. In his 1984 Garden City Telegram article, Dewey wrote:

Many people had and still have bad feelings about the book. They felt and still feel, and sincerely I'm sure, that it capitalized on the tragedy of the Clutters and the grief of this community, profaning the memory of a good family and besmirching the image of where they lived.⁹³

These comments about "bad feelings" of some of the townspeople were supported during a September 14, 1999, telephone interview with Robert Rupp, who spoke about Capote, In Cold Blood, and how the book changed his life:

I have no intention of ever reading it. I didn't think too much of Truman Capote, never did care too much for the guy. He wasn't all that well liked in Holcomb, Kansas. It's unbelievable at the calls I get, this many years later. All hours of the night. Day after day, after day. (personal communication, September 14, 1999)

In 1966 author Dan Wakefield was arguably prophetic in his prediction of the impact of Capote's book on future literary journalists. In an article in Atlantic magazine, Wakefield said he believed Capote did as "honest and skillful a job as possible in his re-creation," although he remained skeptical of the "journalistic validity of such re-creation." But Wakefield's ongoing concerns were of:

... the thought of the inevitable legions of less skillful and less scrupulous imitators of Capote's 'new form.' They will soon be upon us, wave on wave.⁹⁴

Wakefield's concerns about the future of literary journalism's integrity seem remarkably relevant decades later when reading author John Berendt's comments on the writing of his nonfiction best-seller, Midnight in the Garden of Good and Evil:

I did what any nonfiction writer does, even if they won't admit it—I sort of filled things in. Your research only goes so far, so you have to sort of smooth the edges. I never did anything in my book that was out of character—and I always checked with the characters [except dead ones!] about what I was doing. I think more was made of the liberties I took than needed to be. All the events were true and all the characters real.⁹⁵

Finally and ironically, one of Capote's sternest critics, Phillip K. Tompkins may have also been correct when in 1966 he predicted Capote's legacy as the author of In Cold Blood:

Future literary historians and scholars will undoubtedly place Capote's discrepancies of fact as well as his pretensions and rationalizations in perspective, and they will join with the present and future public in enjoying the work for its own sake. 'Time ...' as Auden wrote, 'worships language and forgives Everyone by whom it lives'⁹⁶

###

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